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Agencies in this issue—

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Agriculture Department
Alien Property Office
Atomic Energy Commission
Civil Service Commission
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Defense Department
Federal Aviation Agency
Federal Communications Commission
Federal Power Commission
Federal Trade Commission
Food and Drug Administration
Foreign Assets Control Office
Interior Department
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Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show the exception under Schedule C of the position of Aide to the Vice President. Effective on publication in the FEDERAL REGISTER, subparagraph (42) is added to paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *
(42) Aide to the Vice President.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 65-6501; Filed, June 21, 1965; 8:46 a.m.]

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that the position of Deputy Under Secretary for Transportation (Policy) is no longer excepted under Schedule C, and that the position of Director, Office of Transportation Policy Development, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (18) of paragraph (a) of § 213.3314 is revoked and subparagraph (34) is added to paragraph (a) as set out below.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* * * *
(18) [Revoked]

* * * * *

(34) Director, Office of Transportation Policy Development.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 65-6500; Filed, June 21, 1965; 8:46 a.m.]

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show the exception under Schedule C of an additional position of Special Assistant to the Administrator. Effective on publication in the FEDERAL REGISTER, paragraph (h) of § 213.3332 is amended as set out below.

§ 213.3332 Small Business Administration.

* * * * *

(h) Two Special Assistants to the Administrator.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 65-6502; Filed, June 21, 1965; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

[Amdt. 19]

PART 722—COTTON

Subpart—Acreage Allotment Regulations for 1964 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

(a) The purpose of this amendment is to designate States and counties that have been affected by a natural disaster within the meaning of section 344(n) of the Act for the 1965 crop.

(b) In order that determinations with respect to transfers of acreage for the 1965 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure requirements, and the 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

The Acreage Allotment Regulations for the 1964 and Succeeding Crops of Upland Cotton (28 F.R. 11041, as amended) are amended as follows:

Paragraph (i) of § 722.226 of the regulations is amended by adding at the end thereof the following additional designated counties in Arkansas:

§ 722.226 Transfer of farm cotton acreage affected by a natural disaster.

* * * * *

(i) *Designated States and counties affected by a natural disaster for 1965.* * * *

ARKANSAS

Craighead.	Lawrence.	Poinsett.

* * * * *

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date. Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 17, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-6520; Filed, June 21, 1965; 8:48 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[S.D. 850.147, Rev. 1, Amdt. 2]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms; 1965 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, § 850.147 (29 F.R. 15801, 17029) is hereby amended by adding the following to paragraph (p):

§ 850.147 Proportionate shares for farms in the domestic beet sugar area.

* * * * *

(p) *Eligibility for payment under the Act.* * * *

Notwithstanding the foregoing provisions of this paragraph (p), if the operator of any farm, which is located in a county designated in Part 718 of this title, as a county in which farm operators' certification of the acreage and land use may be accepted with respect to sugarbeets in lieu of a farm inspection and measurement, fails to file a timely report as required under such Part 718 of this title or files a timely report showing that the acreage of sugarbeets is

within the proportionate share for the farm and it is later determined by the county or State committee that such acreage is in excess of the proportionate share and was knowingly incorrectly reported by the farm operator, no payment shall be made with respect to such farm.

* * * * *

Statement of bases and considerations. Part 718, Chapter VII of Title 7 authorizes farm operator certification of acreage and land use with respect to the production of sugarbeets in certain designated counties. Further, it provides that farm operators report their crop acreages by predetermined dates.

This amendment provides that no Sugar Act payment will be made with respect to a farm located in a designated county if the operator thereof fails to file a timely report of acreage or knowingly files a report which shows that the acreage of sugarbeets is within the proportionate share but which is later determined by the county or State committee to exceed such share.

This amendment is issued to insure that adequate, timely and accurate data are furnished to county committees to enable such committees to determine compliance with section 301(b) of the Sugar Act.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the Act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Effective date. Date of publication.

Signed at Washington, D.C., on June 16, 1965.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 65-6521; Filed, June 21, 1965; 8:48 a.m.]

[S.D. 855.10, Rev. 1, Amdt. 3]

PART 855—MAINLAND CANE SUGAR AREA

Proportionate Shares for Farms; 1965 Crop

Pursuant to the provisions of sections 302 and 403 of the Sugar Act of 1948, as amended, § 855.10 (29 F.R. 13595, 14102, 17029) is hereby amended by adding a new subdivision (vi) to subparagraph (4) of paragraph (h) to read as follows:

§ 855.10 Proportionate shares for sugarcane farms in the Mainland Cane Sugar Area for the 1965 crop.

* * * * *

(h) *Eligibility for payment under act.* * * *

(4) * * *

(vi) If the operator of any farm, which is located in a county designated in Part 718 of this title, as a county in which farm operators' certification of the acreage and land use may be accepted with respect to sugarcane in lieu of a farm inspection and measurement, fails to file a timely report as required under such Part 718 of this title or files a timely report showing that the acreage of sugarcane is within the proportionate share for the farm and it is later determined by the county or State committee that such acreage is in excess of the proportionate share and was knowingly incorrectly reported by the farm operator, no payment shall be made with respect to such farm.

Statement of bases and considerations. Part 718, Chapter VII of Title 7, authorizes farm operator certification of acreage and land use with respect to the production of sugarcane in certain designated counties. Further, it provides that farm operators report their crop acreages by predetermined dates.

This amendment provides that no Sugar Act payment will be made with respect to a farm located in a designated county if the operator thereof fails to file a timely report of acreage or knowingly files a report which shows that the acreage of sugarcane is within the proportionate share but which is later determined by the county or State committee to exceed such share.

This amendment is issued to insure that adequate, timely, and accurate data are furnished to county committees to enable such committees to determine compliance with section 301(b) of the Sugar Act.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the Act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Effective date. Date of publication.

Signed at Washington, D.C., on June 16, 1965.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 65-6522; Filed, June 21, 1965; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 133]

PART 1133—MILK IN INLAND EMPIRE MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Inland Empire marketing area (7 CFR Part 1133), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the month of July 1965:

(1) In § 1133.12(c)(1), the language which reads "during the months of December through June"; and

(2) In § 1133.15(c)(1), the language which reads "during any of the months of December through June".

(b) Thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date;

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

(3) This suspension order will permit handlers to divert producer milk from pool plants to nonpool plants during the month of July 1965. The order presently provides for diversions only during the months of December through June. This extension of diversion privileges will facilitate the economical movement of increasing supplies of producer milk not needed for fluid use to nonpool plants for manufacturing. Plants pooled under the order have only limited manufacturing facilities; and

(4) The modification of the present diversion privileges was one of the issues considered at a public hearing held in Spokane, Wash., on April 14, 1965. As announced in a final decision based on the record of this hearing, it has been concluded that some diversion of producer milk is necessary during all months. The remaining portion of the amendatory procedure cannot be completed by July 1. Pending approval and issuance of a proposed amended order, it is appropriate that this suspension action be taken.

Therefore, good cause exists for making this order effective July 1, 1965.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of July 1965.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date. July 1, 1965.

Signed at Washington, D.C., on June 17, 1965.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 65-6523; Filed, June 21, 1965; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1965-Crop Dry Edible Bean Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1965-Crop Dry Edible Bean Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (29 F.R. 2686), issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support operations are supplemented for the 1965-crop of dry edible beans as follows:

Sec.
1421.2440 Purpose.
1421.2441 Applications and loans—final dates.
1421.2442 Eligible beans.
1421.2443 Determination of quality for loans.

Sec.
1421.2444 Determination of quantity for loans.
1421.2445 Warehouse receipts.
1421.2446 Warehouse charges and packaging.
1421.2447 Service charges.
1421.2448 Maturity of loans.
1421.2449 Inspection certificates.
1421.2450 Settlement.
1421.2451 Storage in-transit.
1421.2452 Support rates.

AUTHORITY: The provisions of this subpart issued under sec 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2440 Purpose.

This subpart contains program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops and the Cooperative Marketing Association Eligibility Requirements for Price Support in Part 1425 of this chapter (30 F.R. 6907), and any amendments thereto, apply to loans and purchases made under the 1965-crop Dry Edible Bean Price Support Program.

§ 1421.2441 Applications and loans—final dates.

Producers desiring to participate in this program must file an application for price support not later than March 31, 1966. Producers whose applications are approved may obtain price support loans through March 31, 1966.

§ 1421.2442 Eligible beans.

(a) *General.* In order to be eligible for price support, the beans must be merchantable for use as food or feed or for other use as determined by CCC and must meet the additional requirements of this section.

(1) *Classes.* The beans must be dry edible beans of the classes Pea, Medium White, Great Northern, Small White, Flat Small White, Pink, Small Red, Pinto, Dark Red Kidney, Light Red Kidney, Western Red Kidney, Large Lima, and Baby Lima.

(2) *Contamination and poisonous substances.* The beans must not be contaminated by rodents, birds, insects, or other vermin or contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored.* In order to be eligible for a warehouse stored loan, the beans must also be (1) stored in an approved warehouse, and (2) represented by warehouse receipts, or warehouse receipts and supplemental certificates, calling for delivery of beans grading No. 2 or better and containing not more than 18 percent moisture.

§ 1421.2443 Determination of quality for loans.

(a) *Quality.* The class, grade, and all other quality factors shall be in accordance with the Official U.S. Standards for Beans, whether or not such determinations are made on the basis of an official inspection.

(b) *Loans.* If the beans are stored in an approved warehouse, loans will be made on the class and grade of beans required to be delivered by the warehouse receipt, or supplemental certificate if applicable, representing such beans.

§ 1421.2444 Determination of quantity for loans.

(a) *In warehouse—(1) Commingled.* The amount of a loan on eligible beans stored commingled in an approved warehouse shall be based on the net weight which is called for delivery by the warehouse receipt representing such beans pledged as security for the loan, or by the supplemental certificate if applicable.

(2) *Identity preserved.* The amount of a loan on the quantity of eligible beans stored identity preserved in an approved warehouse shall be based on a percentage, as determined by the State committee, of the net weight specified on the warehouse receipt representing such beans which is pledged as security for the loan, or on the supplemental certificate if applicable. Such percentage shall not exceed 95 percent of the net weight so specified. The State committee's determination shall be made on a statewide basis or for specified areas within the State. The county committee may lower such percentage on an individual basis when determined to be in the best interest of CCC.

(b) *On farm.* The quantity of beans placed under farm storage loan shall be determined in accordance with § 1421.67 on the basis of a percentage of the estimated net weight of the beans stored in approved farm storage covered by the chattel mortgage or if the beans have not been processed, on the basis of a percentage of the estimated net weight of the sound beans so stored as determined by an inspection by a representative of the county committee. Such quantity shall be expressed in whole units of 100 pounds.

§ 1421.2445 Warehouse receipts.

(a) *General.* Warehouse receipts representing beans in approved warehouse storage placed under warehouse storage loan, delivered in satisfaction of a farm storage loan or for purchase must meet the requirements of this section and the General Regulations Governing Price Support for 1964 and Subsequent Crops and any amendments thereto.

(b) *Grade and class.* A separate warehouse receipt must be submitted for each grade and class of beans.

(c) *Entries.* Each warehouse receipt or supplemental certificate properly identified with the warehouse receipt, must show (1) net weight, (2) class, (3) grade, (4) whether the beans will be packaged in jute or paper bags on delivery, and (5) in the case of "identity-preserved" beans, the warehouse receipt shall show the lot number, and must be accompanied by a supplemental certificate executed by the producer in which he assumes responsibility for the quantity and quality of beans indicated thereon. When the beans have not been processed prior to issuance of the warehouse receipt, the warehouse receipt or the supplemental certificate must also show the gross weight, moisture, and percentage of total defects of the beans received and the quantity and quality which the warehouseman guarantees to deliver.

§ 1421.2446 Warehouse charges and packaging.

(a) *Warehouse charges.* Prior to the time that the beans are placed under warehouse-storage loans, or acquired by CCC, the producer shall arrange for payment of storage, bagging, processing, inspection, and all other charges (except receiving and loading out charges in the warehouse in which the beans are acquired by CCC) accruing through the maturity date for loans. Such charges shall include the cost of movement to a normal railroad shipping point if the warehouse is not located on a railroad, and any unpiling, turning, repiling, or other charges, except loading out charges, incident to official weight and grade determinations on identity-preserved beans. CCC will assume warehouse storage charges in accordance with the Bean Storage Agreement accruing after the maturity date for loans for beans acquired by CCC.

(b) *Packaging.* The producer must arrange for the beans to be packaged 100 pounds net weight in new jute or multiwall paper bags prior to their delivery to CCC. Bags must be marked to show the commodity name and class, the net weight, and the name and address of the packer. The bags in which the beans are packed must meet the specifications of subparagraph (1) or (2) of this paragraph:

(1) *Jute bags.* The bags must be made of 36 inch, extra quality 10.4 ounce or heavier jute. Bag seams must be as strong as the full strength of the cloth.

(2) *Multiwall paper bags.* Paper bags must meet the requirements of Federal Specification UU–S–48 as supplemented. The walls shall be either Class A Heavy Duty Shipping Sack Kraft or Class F Heavy Duty Extensible Shipping Sack Kraft Papers. The bag shall be open-mouth style constructed of four walls of either 2/50# and 2/60# 220 pounds total basis weight Class A paper or 4/50# 200 pounds total basis weight Class F paper. The outer wall shall be treated (mechanically or chemically) for antiskid properties. The bottom and top of the bag shall be closed by sewing through all walls with 12/6 needle and 12/5 cotton looper thread, or with a single thread chain stitch, Type 101, with a 12/6 cotton thread (other threads of equivalent strength are permitted). Stitches shall be spaced 3.0 to 3.6 to the inch. The manufactured end of the bag shall be sewn at a depth of not less than three-eighths inch nor more than three-fourths inch and shall incorporate a 2⅛-inch minimum width 70-pound nominal basis weight, flat, creped, or extensible kraft paper. After filling, the top of the bag shall be machine sewn at a depth of not less than three-eighths inch.

§ 1421.2447 Service charges.

A charge of 1 cent per hundredweight will be made for the quantity of beans acquired by CCC and shall be handled in accordance with § 1421.60(b).

§ 1421.2448 Maturity of loans.

Unless demand is made earlier, loans will mature on April 30, 1966.

§ 1421.2449 Inspection certificates.

Except in the case of loans on beans stored commingled in an approved warehouse, settlement with the producer on all beans acquired by CCC will be based on the class, grade, and quality shown on the official lot inspection certificate. Such inspection certificate shall be dated not earlier than 30 days prior to the applicable maturity date. The cost of Federal or Federal-State lot inspections as required by this section and § 1421.2450 shall not be for the account of CCC.

§ 1421.2450 Settlement.

Settlement for eligible beans acquired by CCC under loan or by purchase will be made with the producer as provided in § 1421.72 and this section.

(a) *Commingled warehouse stored.* Settlement for eligible beans stored commingled in an approved warehouse and acquired by CCC under a loan or by purchase shall be made on the basis of the class, grade, and quality and net weight which are called for delivery by the warehouse receipt representing such beans or the supplemental certificate, if applicable.

(b) *Other storage.* Settlement for eligible beans acquired under loan or purchase not stored commingled in an approved warehouse shall be made on the basis of the class, grade, and quality shown on Federal or Federal-State lot inspection certificates and on the basis of the quantity shown on official weight certificates. Such certificates dated not earlier than 30 days prior to the applicable maturity date shall be furnished the county committee at the time of delivery. The weight of bagged beans stored other than commingled in an approved warehouse shall be the net weight of the lot as determined under the preceding provisions of this paragraph, or a quantity determined by multiplying the number of bags by 100 pounds, whichever is smaller.

§ 1421.2451 Storage in-transit.

Reimbursement will be made by CCC to producers or warehousemen for paid-in freight on beans stored in approved warehouses, subject to the following conditions:

(a) The movement from point of origin to storage point must be an "inline" movement as determined by CCC, and must be no greater than 100 miles from the point of production unless otherwise approved by CCC prior to the date of shipment.

(b) The freight must have been paid by the person claiming reimbursement and he must not have been otherwise reimbursed.

(c) The warehousemen must furnish the descriptive data on all freight bills or transit tonnage slips on all eligible beans received into the storage facility at the time and in the manner stipulated in the Bean Storage Agreement.

(d) The freight bills or transit tonnage slips must be made available to CCC in accordance with the provisions of the Bean Storage Agreement.

(e) Not more than one transit stop must have been used on billing.

(f) The freight bills must be otherwise acceptable to CCC under the terms of the Bean Storage Agreement.

(g) Reimbursement for paid-in freight under this section will be made by the appropriate ASCS commodity office subsequent to actual acquisition of the beans by CCC.

§ 1421.2452 Support rates.

The support rate for beans placed under a loan other than a loan on beans stored in an approved warehouse, shall be the applicable basic support rate specified in paragraph (a) of this section, for the county in which the beans were produced adjusted as provided in paragraph (d) of this section. The support rate for loans on beans stored in approved warehouse storage and for settlement of all loans and purchases shall be the applicable support rate specified in paragraph (a) of this section for the county in which the beans were produced, adjusted in accordance with the provisions of this section and the provisions of § 1421.74 and in the case of settlements adjusted for such other discounts as may be established by CCC as applicable to the class, grade, and quality of beans acquired by CCC. Except in the case of large lima beans, if the beans have been moved by truck to approved storage in a higher support rate county, or if the warehouseman guarantees delivery by truck to approved storage or on track in a higher support rate county, the support rate shall be the support rate for the county in which the beans are stored or to which delivery is guaranteed.

(a) *Basic county support rates.* The basic county support rates per 100 pounds net weight for beans of all classes grading U.S. No. 1 are as follows:

Class and area	Rate per 100 pounds U.S. No. 1
Pinto:	
Area I—All counties in New Mexico except McKinley, Rio Arriba, San Juan, Taos, and Valencia	$6.57
Area II—All counties in Kansas, Nebraska, Oklahoma, and Texas. In Colorado, the counties of Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Clear Creek, Crowley, Denver, Douglas, Elbert, El Paso, Fremont, Gilpin, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Weld, and Yuma. In Wyoming, the counties of Goshen, Laramie, and Platte	6.47
Area III—In New Mexico, the counties of McKinley, and Valencia	6.37
Area IV—All counties in Arizona, California, South Dakota, and Utah. In Wyoming all counties except Goshen, Laramie, and Platte. In Colorado, all counties not in Area II. In New Mexico, the counties of Rio Arriba, San Juan, and Taos	6.27
Area V—All counties in Washington	5.97
Area VI—All counties in other States	6.07
Great Northern:	
Area I—All counties in Minnesota, Nebraska, and North Dakota. In Colorado, all counties east of 106 degrees longitude. In Wyoming, the counties of Goshen, Laramie, and Platte	$7.21
Area II—All counties in South Dakota. All counties in Wyoming except Goshen, Laramie, and Platte	7.01
Area III—All counties in Montana. In Idaho, the counties of Ada, Bannock, Bear Lake, Bingham, Boise, Canyon, Caribou, Cassia, Elmore, Franklin, Gem, Godding, Jerome, Lincoln, Minidoka, Oneida, Owyhee, Payette, Power, and Twin Falls. In Oregon, Malheur County	6.81
Area IV—All counties in other States	6.71
Pea and Medium White:	
Area I—All counties in Michigan, New York, Maine, Minnesota, and Wisconsin	6.65
Area II—All counties in other States	6.15
Small White and Flat Small White	7.52
Dark Red Kidney	8.26
Light Red Kidney	8.70
Western Red Kidney	8.70
Pink	7.32
Small Red:	
Area I—All counties in Idaho and Colorado	7.47
Area II—All counties in Washington	7.37
Area III—All counties in other States	7.42
Large Lima:	
Area I—In California, counties of Monterey, Orange, San Luis Obispo, Santa Barbara, Ventura, Los Angeles, and San Diego	10.39
Area II—All other counties in California	10.24
Baby Lima	5.59

(b) *Premium.*

	Cents per 100 pounds
Grade U.S. CHP (Pea beans)	25
Grade U.S. CHP (All other beans)	10
Grade U.S. Extra No. 1	10

(c) *Discount.*

	Cents per 100 pounds
Grade U.S. No. 2	25
Paper package	09

(d) *Deduction for processing charges.* In the case of beans which have not been processed (i.e., commercially cleaned), the rate shall be reduced by the following amounts (except for beans stored commingled in an approved warehouse):

	Dollars per 100 pounds from U.S. No. 1 rate
All States except Michigan and New York	$1.00
Michigan, Pea beans only	1.00
Michigan, other classes	1.50
New York	2.00

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 17, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 65-6525; Filed, June 21, 1965; 8:48 a.m.]

[CCC Grain Price Support Regs., 1965-Crop Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1965-Crop Grain Sorghum Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (29 F.R. 2686) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1965-crop of grain sorghum as follows:

Sec.
1421.2541 Purpose.
1421.2542 Availability.
1421.2543 Compliance requirements.
1421.2544 Eligible grain sorghum.
1421.2545 Determination of quality.
1421.2546 Determination of quantity.
1421.2547 Warehouse receipts.
1421.2548 Service charges.
1421.2549 Warehouse charges.
1421.2550 Maturity of loans.
1421.2551 Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2541 Purpose.

This supplement contains additional program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops and any amendments thereto (referred to herein as "general regulations"), apply to loans and purchases for 1965-crop grain sorghum.

§ 1421.2542 Availability.

Producers desiring to participate in this program must file an application for price support not later than February 28, 1966. Loans will be available through February 28, 1966.

§ 1421.2543 Compliance requirements.

(a) A producer shall not be eligible for a loan or a purchase unless he is eligible to receive a price support payment on grain sorghum of the 1965 crop under the 1964 and 1965 Feed Grain Program Regulations (29 F.R. 590 and any amendments thereto) on the farm on which the grain sorghum tendered for loan or purchase is produced, except as provided in paragraphs (b) and (c) of this section.

(b) The requirements of this section shall not apply to grain sorghum (1) produced on a farm in compliance with the New Farm Provisions of the 1964 and 1965 Feed Grain Program Regulations, as amended, or (2) produced in Alaska or produced in any other area of the United States where the 1964 and 1965 Feed Grain Program is not applicable on grain sorghum of the 1965 crop and price support payments are not made on such grain sorghum because of an emergency created by drought or other disaster or in order to prevent or alleviate a shortage in the supply of the commodity.

(c) A producer shall be eligible for a loan or a purchase even though he has not received a price support payment on grain sorghum of the 1965 crop under the 1964 and 1965 Feed Grain Program Regulations if he would be eligible for a payment except for the fact that (1) he has declined a price support payment, or (2) the grain sorghum has been produced on land owned by the Federal Government and leased subject to restrictions prohibiting the receipt of Federal payments for diversion of acreage but not prohibiting the production of grain sorghum.

§ 1421.2544 Eligible grain sorghum.

(a) *General.* In order to be eligible for price support, grain sorghum must be merchantable for food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* In order to be eligible for a warehouse storage loan, grain sorghum must also meet the following requirements:

(1) The grain sorghum must grade No. 4 or better, except for moisture, and in addition may carry the special grade designation "Smutty."

(2) The grain sorghum must not grade "Weevily" unless the warehouse receipt for the grain sorghum is accompanied by a supplemental certificate which indicates the warehouseman will deliver grain sorghum (i) which does not grade "Weevily" and (ii) which is otherwise of an eligible grade and quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.2547(c).

(3) The grain sorghum must not contain over 14 percent moisture unless the warehouse recipt is accompanied by a supplemental certificate which indicates the warehouseman will deliver grain sorghum containing not over 14 percent moisture and which is otherwise of an eligible quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.2547(c).

§ 1421.2545 Determination of quality.

The class, grade, grading factors, and all other quality factors shall be based on the Official Grade Standards of the United States for Grain Sorghum, whether or not such determinations are made on the basis of an official inspection.

§ 1421.2546 Determination of quantity.

When the quantity is determined by weight, a unit of 100 pounds shall be 100 pounds of grain sorghum free of dockage.

(a) *In warehouse.* The quantity of grain sorghum on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the grain sorghum has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference of the moisture content of the grain sorghum, when received, and 14 percent.

(b) *On farm.* The quantity of eligible grain sorghum which may be placed under farm storage loan shall be determined in accordance with § 1421.67 of the general regulations. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight. In determining the quantity of sacked grain sorghum by weight, a deduction of three-fourths of a pound for each sack shall be made.

(c) *Dockage.* When the quantity is determined by weight, the percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross weight in determining the net quantity.

§ 1421.2547 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and class of grain sorghum.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross and net weight, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) whether the grain sorghum arrived by rail, truck, or barge and (9) the date the grain sorghum was received or deposited in warehouse.

(c) *Where warehouse receipt shows "Weevily" or moisture over 14 percent.* If a warehouse receipt tendered for loan indicates the grain sorghum grades "Weevily" or contains over 14 percent moisture, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2544(b), in order for the grain sorghum to be eligible for price support. The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipt shows "Weevily" and the grain sorghum has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt; (2) when the warehouse receipt indicates moisture over 14 percent and the grain sorghum has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the grain sorghum to a moisture content of not over 14 percent. The quantity shown on the supplemental certificate shall reflect a drying or blending shrink as specified in § 1421.2546; (3) the supplemental certificate must state

that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt; (4) in the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.2549.

(e) *Freight bill requirements.* Warehouse receipts representing grain sorghum which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored in transit to a designated terminal point, must be accompanied by registered freight bills or by a certificate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the grain sorghum and must reflect the total freight from origin to the designated terminal point including penalty for out-of-line haul, if any. The form of these certificates shall be prescribed by the ASCS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

§ 1421.2548 Service charges.

A charge of 1 cent per hundredweight will be made for the quantity of grain sorghum delivered to CCC. Such charge shall be handled in accordance with § 1421.60(b) of the general regulations.

§ 1421.2549 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the grain sorghum represented thereby stored in an approved warehouse operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the grain sorghum is deposited in the warehouse for storage. Warehouse receipts and the grain sorghum represented thereby stored in an approved warehouse operated by an Eastern common carrier may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the grain sorghum when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table shown below provides the deduction for storage charges to be made from the amount of the loan or purchase price in the case of grain sorghum stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on grain sorghum stored in approved warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following: (1) The date the grain sorghum was received or deposited in warehouse, (2) the date storage charges start, or (3) the day following the date through which the storage charges have been paid.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF NO LATER THAN MARCH 31, 1966

Date the storage charges start:	*Amount of deduction (cents per hundredweight)*
Prior to May 28, 1965	21
May 28–June 11, 1965	20
June 12–June 26, 1965	19
June 27–July 11, 1965	18
July 12–July 26, 1965	17
July 27–Aug. 10, 1965	16
Aug. 11–Aug. 25, 1965	15
Aug. 26–Sept. 9, 1965	14
Sept. 10–Sept. 24, 1965	13
Sept. 25–Oct. 9, 1965	12
Oct. 10–Oct. 24, 1965	11
Oct. 25–Nov. 8, 1965	10
Nov. 9–Nov. 23, 1965	9
Nov. 24–Dec. 8, 1965	8
Dec. 9–Dec. 23, 1965	7
Dec. 24, 1965–Jan. 7, 1966	6
Jan. 8–Jan. 22, 1966	5
Jan. 23–Feb. 6, 1966	4
Feb. 7–Feb. 21, 1966	3
Feb. 22–Mar. 8, 1966	2
Mar. 9–Mar. 31, 1966	1

(c) *Deduction of storage charges—Eastern common carriers.* In the case of grain sorghum stored in an approved warehouse operated by an Eastern common carrier, there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. The State office shall advise county offices of the applicable charges. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 1421.2550 Maturity of loans.

Loans mature on demand but not later than March 31, 1966.

§ 1421.2551 Support rates.

Basic support rates per hundredweight for grain sorghum grading No. 2 or better and containing not over 14 percent moisture will be published as an amendment to this section at a later date. Farm stored loans will be made at the applicable basic support rate adjusted for the discount for Weed Control Laws where applicable. The support rate for warehouse stored loans and for grain sorghum acquired under a loan or purchase shall be the applicable basic support rate adjusted in accordance with the following provisions of this section and in the case of settlement of loans and purchases as further provided in § 1421.72.

(a) *Support rates at designated terminal markets.* (1) The basic support rates established for designated terminal markets apply to grain sorghum shipped on a domestic interstate freight rate basis. The basic support rate at the designated terminal market for any grain sorghum shipped at other than the domestic interstate freight rate shall be reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate. (2) The basic support rates established for designated terminal markets also apply to grain sorghum which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. If the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market determined by the appropriate ASCS commodity office, there shall be deducted from the applicable basic support rate the amount by which the amount of freight actually paid in is less than the amount required to be paid in to guarantee out-bound movement at the minimum proportional domestic interstate freight rate. If the grain sorghum is stored at any designated terminal market and neither registered freight bills nor registered freight certificates are presented, the basic support rate shall be reduced by the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office. (3) In determining the support rate for grain sorghum received by truck and stored at any designated terminal market, there shall be deducted from the applicable basic support rate the actual amount of paid-in freight required to guarantee the proportional out-bound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office, plus 6 cents per hundredweight. (4) Notwithstanding the foregoing provisions of this paragraph, in determining the support rate for grain sorghum shipped by rail or water and stored at any of the following terminal markets there shall be deducted from the applicable basic support rate, the transportation cost, if any may be incurred, as determined by the appropriate ASCS commodity office, for moving the grain sorghum to a tidewater facility located within the same switching limits:

Long Beach, Los Angeles, Oakland, San Francisco, Stockton, and Wilmington, Calif.
Baton Rouge and New Orleans, La.
Astoria and Portland, Oreg.
Beaumont, Brownsville, Corpus Christi, Galveston, Houston, and Port Arthur, Tex.

Kalama, Longview, Seattle, Tacoma, and Vancouver, Wash.

(5) Notwithstanding the foregoing provisions of this paragraph, in determining the support rate for grain sorghum received by truck and stored at any of the terminal markets listed in subparagraph (4) of this paragraph, there shall be deducted from the applicable basic support rate an amount of 6 cents per hundredweight, plus the transportation cost, if any, as determined by the appropriate ASCS commodity office, for moving the grain sorghum to a tidewater loading facility located within the same switching limits.

(b) *Support rates for grain sorghum in approved warehouse storage at other than designated terminal markets.* In determining the support rate for grain sorghum which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets), there shall be deducted from the basic support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from the point of origin for such grain sorghum to such terminal market: *Provided*, That on any grain sorghum shipped at other than the domestic interstate freight rate, the basic support rate shall be further reduced by the amount by which the freight rate paid is less than the amount of the domestic interstate freight rate from the point of origin of such grain sorghum to the point of destination or appropriate terminal market: *And provided further*, That in the case of grain sorghum stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to the cost of any out-of-line movement to the appropriate designated market or other cost incurred in storing grain sorghum in such position.

(c) *Basic county support rates.* (1) The applicable support rate for farm-storage loans and for grain stored in approved country warehouse-storage, except as otherwise provided in paragraph (b) of this section and subparagraph (2) of this paragraph will be determined from the basic county support rate established for the county in which the grain sorghum is stored. (2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities, having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

(d) *Discounts.* The basic support rate shall be adjusted as applicable by discounts as follows:

Reason:	*Discount (cents per hundredweight)*
Class—Mixed Grain Sorghum	3
Grade:	
No. 3 (not over 14 percent moisture)	3
No. 4 (not over 14 percent moisture)	5
Smutty	5
Weed control laws (see § 1421.74)	15
Other discounts to be determined by CCC for settlement purposes	

NOTE: Discounts are cumulative except only one grade discount shall be applied.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 17, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 65-6526; Filed, June 21, 1965; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6702; Amdt. 39-87]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Model 1329 Aircraft

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on June 13, 1965, and made effective immediately as to all known U.S. operators of Lockheed Model 1329 aircraft. The directive requires inspection of the elevator counterweight attach bolts and replacement of any found to be of improper length.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Lockheed Model 1329 aircraft by individual telegrams dated June 13, 1965. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

LOCKHEED. Applies to Model 1329 aircraft Serial Numbers 5001 through 5058.

Compliance required before further flight except that one flight may be made in accordance with the provisions of FAR 21.197 for the purpose of obtaining inspection and rework.

To prevent loss of elevator inboard counterweights accomplish the following:

(a) Remove empennage trailing edge fairing installation P/N JE114 to gain access to inboard elevator counterweights and their attach bolts P/N AN 174H10A.

(b) Remove aft outboard and two inboard attach bolts one at a time and measure shank length. Replace bolts with AN 174H10A bolt if shank length is less than 1.016 inch. Torque to 70–100 inch-pounds.

(c) Back off forward outboard attach bolt eight turns. If bolt is still engaged, retorgue to 70–100 inch-pounds. If bolt is not engaged at eight turns, but is engaged at least four turns, retorque to 70–100 inch-pounds. Replace any bolt having less than a four turn engagement with a AN 174H10A bolt. This can be accomplished by disconnecting the vertical push-pull rod from elevator horn on side being worked. Then remove torque tube flange bolt connecting the elevator. This will free elevator assembly so that counterweight can be rotated sufficiently for bolt access. Upon completion reassemble, torque and safety wire bolts.

(d) Inspect two aft adjustment weight attach bolts, if installed, for proper length. Correct length is at least one thread extending through barrel nut. Replace as required with AN 174H( )A bolt to obtain proper length. Torque to 70–100 inch-pounds.

(e) Safety wire in pairs with MS20995C40 or equivalent, the attach bolt head of the two outboard, the two inboard and the two aft adjustment weight attach bolts, if installed.

(f) Replace empennage trailing edge fairing.

(g) At the next 100-hour inspection, remove and replace any forward outboard attach bolt found by inspection of paragraph (c) to have less than eight turn engagement, with AN 174H10A bolt torqued to 70–100 inch-pounds and safety wired per paragraph (e).

(Lockheed Service Bulletin 329-206 covers this same subject.)

NOTE: It is requested that the results of this inspection be reported to the FAA, Engineering and Manufacturing Branch, Southern Region, Post Office Box 20636, Atlanta, Ga., 30320.

This amendment becomes effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated June 13, 1965.

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 16, 1965.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 65-6476; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-SW-24]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the El Dorado, Ark., control zone and transition area to eliminate the controlled airspace based on the El Dorado RBN. This action is necessary due to the decommissioning of the RBN. Since this amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17596) the El Dorado, Ark., control zone is amended to read:

That airspace within a 5-mile radius of Goodwin Airport, El Dorado, Ark. (latitude 33°13'05" N., longitude 92°48'45" W.).

2. In § 71.181 (29 F.R. 17660) the El Dorado, Ark., transition area is amended to read:

EL DORADO, ARK.

That airspace extending upward from 700 feet above the surface within 5 miles SE and 8 miles NW of the El Dorado VOR 059° radial, extending from the VOR to 12 miles NE; that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 8 miles NW of the El Dorado VOR 059° and 239° radials, extending from 7 miles SW to 13 miles NE of the VOR, and within 5 miles each side of the El Dorado VOR 233° radial, extending from the El Dorado VOR to 23 miles SW of Goodwin Airport.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on June 12, 1965.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 65-6477; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-63]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Pendleton, Oreg., control zone.

The Pendleton control zone extension is presently designated with reference to the Pendleton Radio Range. This facility is being converted to an SABH, non-IFR, type beacon and the prescribed instrument approach procedure is being canceled. Therefore, action is taken herein to revoke the control zone extension based on this facility.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.171 (29 F.R. 17624), the Pendleton, Oreg., control zone is amended to read:

PENDLETON, OREG.

Within a 5-mile radius of Pendleton Airport (latitude 45°41'50" N., longitude 118°-50'20" W.)

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 9, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-6478; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-4]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Transition Area; Designation; Correction

On May 7, 1965, Federal Register Document 65-4795 was published in the FEDERAL REGISTER (30 F.R. 6384) and proposed to amend, in part, §§ 71.165, 71.171, and 71.181 of the Federal Aviation Regulations. In this final rule, paragraph (3), concerning the proposed description of the Goodland, Kans., transition area, contained certain editorial discrepancies. Action is taken herein to correct these discrepancies.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the effective date of the final rule, as initially adopted, may be retained.

In consideration of the foregoing, effective immediately, Federal Register Document 65-4795 (30 F.R. 6384) is amended as follows:

3. In § 71.181 (29 F.R. 17643) the following is added:

GOODLAND, KANS.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Goodland, Kans., Municipal Airport (latitude 39°21'45" N., longitude 101°42'00" W.); and within 2 miles each side of the Goodland VORTAC 022° radial, extending from the 6-mile radius to 8 miles N of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 5 miles E and 8 miles W of the Goodland VORTAC 022° radial extending from the VORTAC to 13 miles N of the VORTAC, and within 5 miles E and 8 miles W of the Goodland VORTAC 352° and 172° radials, extending from 2 miles S of the VORTAC to 12 miles N of the VORTAC.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 10, 1965.

KIRBY L. BRANNON,
Acting Director, Central Region.

[F.R. Doc. 65-6479; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WA-10]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Designation of VOR Airway

On May 29, 1965, Federal Register Document 65-5630 was published in the FEDERAL REGISTER (30 F.R. 7224) effective July 22, 1965. This document contained an amendment to Part 71 of the Federal Aviation Regulations wherein VOR Federal airway No. 311 was designated from Berlin, N.H., to Sherbrooke, Quebec, excluding the portion within Canada. The Canadian Department of Transport has advised that the V-311 designator is presently assigned to an airway between Nova Scotia and Newfoundland and requested the Berlin to Sherbrooke airway be assigned the V-322 designator. Accordingly, action is taken herein to reflect this reassignment of airway number.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and the effective date of the rule is retained.

In consideration of the foregoing, effective immediately, Federal Register Document 65-5630 (30 F.R. 7224) is altered as hereinafter set forth.

The description of V-311 is amended by substituting the numerical designator "V-322" for "V-311."

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 15, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6480; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Route and Continental Control Area

On March 23, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3785) stating that the Federal Aviation Agency was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would realign Jet Route No. 18 from Salina, Kans., direct to Kirksville, Mo., and that would include Restricted Area R-3602 in the continental control area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

1. In § 75.100 (29 F.R. 17776), Jet Route No. 18 is amended by deleting "Kansas City, Mo.;" from the text.

2. In § 71.151 (29 F.R. 17550), "R-3602 Manhattan, Kans." is added to the text.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 14, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6481; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65-SW-3]

PART 73—SPECIAL USE AIRSPACE

Redesignation of Restricted Area

On March 13, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3391) stating that the

Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations that would redesignate Restricted Area R–5114 at Fort Wingate, N. Mex.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all relevant matter presented.

The Air Transport Association of America offered no objection to the proposal, provided a substitute airway for the approved off-airway route traversing a portion of R–5114 and used by Frontier Airlines be reestablished. The Albuquerque, N. Mex., ARTC Center will continue the procedures for the handling of traffic, during the periods of time R–5114 is activated, in the same manner as in the past.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

In § 73.51 (29 F.R. 17756) R–5114 is designated as follows:

R–5114 FORT WINGATE, N. MEX.

Boundaries. Beginning at lat. 35°27'00" N., long. 108°35'00" W.; to lat. 35°11'00" N., long. 108°13'00" W.; to lat. 35°04'40" N., long. 108°24'00" W.; to lat. 35°24'00" N., long. 108°38'00" W.; to the point of beginning.

Designated altitudes. Surface to unlimited.

Time of designation. Sunrise to sunset August 1, 1965–December 31, 1966, as published in NOTAM's 24 hours in advance of use.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Air Force Missile Development Center, Holloman AFB, N. Mex.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 15, 1965.

ARCHIE W. LEAGUE,
Director, Air Traffic Service.

[F.R. Doc. 65–6482; Filed, June 21, 1965; 8:45 a.m.]

[Airspace Docket No. 65–WA–37]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Route Description

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to redescribe the termination point of Jet Route No. 14 by using radials of the Richmond, Va., VOR and the Coyle, N.J., VOR.

J–14 presently is described, in part, from Richmond to the intersection of the Richmond 039° and the Yardley, Pa., 205° radials. Most flights proceeding over Richmond via this route continue to Coyle rather than to Yardley. For this reason, action is taken herein to redescribe the termination point of this jet route with radials from Richmond and Coyle in lieu of Richmond and Yardley. Use of the Yardley and Richmond radials provides a 14° angle, whereas use of the Coyle and Richmond radials provides a 16° angle. Further, this action would reduce chart clutter by eliminating the depiction of the Yardley radials.

Since this amendment renders no change in airspace designation or jet route alignment, is essentially editorial and therefore minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

In § 75.100 (29 F.R. 17776, 30 F.R. 3378), the text of J–14 is amended by deleting "Yardley, Pa., 205° radials." and substituting "Coyle, N.J., 235° radials." therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 15, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65–6483; Filed, June 21, 1965; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 14—ADMINISTRATIVE INTERPRETATIONS

Guides for Advertising Fallout Shelters

The Federal Trade Commission has approved a revision in its 1961 Guides for Advertising Fallout Shelters so that the Guides will be technically consistent with revised "Official Standards" for fallout shelters as established by the Office of Civil Defense, Department of Defense, in Technical Memorandum 61–3 entitled "Technical Requirements for Fallout Shelters" revised and published under date of March 1965.

In the first paragraph (a)(1) of the Guides under the heading of *Definitions—Fallout Shelter*—the figure "100" which appears three times has been changed to "40".

Accordingly, paragraph (a)(1) of § 14.5 is amended to read as follows:

§ 14.5 Guides for advertising fallout shelters.

(a) *Definition.*—(1) *Fallout Shelter.* (i) A structure which, when properly installed, has a protection factor against fallout gamma radiation of at least 40.

(ii) Protection factor is the relative reduction in the amount of radiation that would be received by a person in a shelter compared with the amount which he would receive is unprotected. For example, an unprotected person would receive 40 times more radiation than a person in a shelter with a protection factor of 40.

* * * * *

(Secs. 5, 6, 38 Stat. 719, as amended, 721; 15 U.S.C. 45, 46)

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65–6505; Filed, June 21, 1965; 8:46 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950———)

Subpart D—Child's Insurance Benefits; Time When Dependency Requirement Must Be Met

Regulations No. 4, as amended, of the Social Security Administration (20 CFR 404.1 et seq.) are further amended as follows:

Paragraph (a) of § 404.323 is amended to read as follows:

§ 404.323 Child's insurance benefits; time at which child must be dependent upon parent.

(a) *Months after August 1958.* For months after August 1958, based on applications filed after August 27, 1958, the dependency requirement must be met:

(1) If the parent is living, at the time the application for child's insurance benefits is filed, except as provided in subparagraph (4) of this paragraph; or

(2) If the parent has died, at the time of the parent's death; or

(3) If the parent had a period of disability which continued until he became entitled to disability or old-age insurance benefits (or, if he has died, until the month of his death), at the beginning of such period of disability, or at the time he became entitled to such benefits.

(4) If the parent is entitled to disability insurance benefits, dependency of the child may not be established at the time specified in subparagraph (1) of this paragraph unless such child:

(i) Is the natural child or stepchild of such parent (including a natural child or stepchild of such parent who was legally adopted by such parent); or

(ii) Was legally adopted by such parent before the end of the 24-month period beginning with the month after the month in which the parent most recently became entitled to disability insurance benefits, and (a) proceedings for such adoption had been instituted by the parent in or before the month in which such parent's period of disability began, and such period of disability has continued until the time of such adoption, or (b) such adopted child was living with such parent in the month in which such period of disability began.

* * * * *

(Secs. 202, 205, and 1102, 64 Stat. 482, as amended, 53 Stat. 1368, as amended, 49 Stat.

647, as amended; sec. 5, Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 402, 405, and 1302)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: May 27, 1965.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 15, 1965.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 65-6515; Filed, June 21, 1965; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Further Extension of Effective Date of Public Law 86-139 as It Affects Section 408 of the Federal Food, Drug, and Cosmetic Act

Under the provisions of Public Law 88-625 (sec. 3, 78 Stat. 1002; 7 U.S.C. 135 note) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), the Commissioner has further extended the effective date of Public Law 86-139 as it affects section 408 of the Federal Food, Drug, and Cosmetic Act for certain specified uses of nematocides, plant regulators, defoliants, or desiccants. The list previously published in § 120.37 is amended by changing the item listed below to read as indicated:

§ 120.37 Further extensions of effective date of Public Law 86-139 as it affects section 408 of the Federal Food, Drug, and Cosmetic Act.

* * * * *

Product	Specified uses or restrictions	Effective date of statute extended to—
* * *	* * *	* * *
2,3,5,6-Tetrachloronitrobenzene.	On potatoes to inhibit sprouting.	Dec. 31, 1965

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959 were contemplated by the statute, as amended, as a relief of restrictions on the agricultural industry.

Effective date. This order shall become effective on the date of signature.

(Public Law 86-139 (73 Stat. 388 as amended 75 Stat. 42, 78 Stat. 1002; 7 U.S.C. 135 note))

Dated: June 16, 1965.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 65-6516; Filed, June 21, 1965; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ODORLESS LIGHT PETROLEUM HYDROCARBONS

The Commissioner of Food and Drugs has evaluated data in a petition (FAP 1L0425) filed by the American Petroleum Institute, 1271 Avenue of the Americas, New York 20, N.Y., and other relevant material, and has concluded that food additive regulations should issue to prescribe the safe use of odorless light petroleum hydrocarbons. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), Part 121 is amended by adding two new sections and by amending §§ 121.1099, 121.2519, 121.2520, and 121.2557, as follows:

1. Section 121.1099(a)(3) is amended by alphabetically inserting in the table a new item in those items bracketed. The affected portion reads as follows:

§ 121.1099 Defoaming agents.

* * * * *

(a) * * *
(3) * * *

Substances	Limitations
* * *	* * *
Mineral oil: Conforming with § 121.1146.	
Odorless light petroleum hydrocarbons: Conforming with § 121.1182.	
Petrolatum: Conforming with § 121.1166.	Not more than 150 p.p.m. in yeast, measured as hydrocarbons.
Petroleum wax: Conforming with § 121.1156.	
Synthetic isoparaffinic petroleum hydrocarbons: Conforming with § 121.1154.	

* * * * *

2. The following new section is added to Subpart D:

§ 121.1182 Odorless light petroleum hydrocarbons.

Odorless light petroleum hydrocarbons may be safely used in food, in accordance with the following prescribed conditions:

(a) The additive is a mixture of liquid hydrocarbons derived from petroleum or synthesized from petroleum gases. The additive is chiefly paraffinic, isoparaffinic, or naphthenic in nature.

(b) The additive meets the following specifications:

(1) Odor is faint and not kerosenic.

(2) Initial boiling point is 300° F. minimum.

(3) Final boiling point is 650° F. maximum.

(4) Ultraviolet absorbance limits determined by method specified in § 121.2589(b)(1)(ii), as follows:

Wavelength	Maximum absorbance per centimeter optical pathlength
mμ	
280-289	4.6
290-299	3.3
300-329	2.3
330-360	0.8

(c) The additive is used as follows:

Use	Limitations
As a defoamer in processing beet sugar and yeast.	Complying with § 121.1099.
As a float on fermentation fluids in the manufacture of vinegar and wine to prevent or retard access of air, evaporation, and wild yeast contamination during fermentation.	In an amount not to exceed good manufacturing practice.
In the froth-flotation cleaning of vegetables.	Do.

3. Section 121.2519(d)(3) is amended by alphabetically inserting therein a new item, as follows:

§ 121.2519 Defoaming agents used in the manufacture of paper and paperboard.

* * * * *

(d) * * *
(3) * * *

Odorless light petroleum hydrocarbons.

* * * * *

4. Section 121.2520(c)(5) is amended by alphabetically inserting in the list "Components of Adhesives" a new item, as follows:

§ 121.2520 Adhesives.

* * * * *

(c) * * *
(5) * * *

Odorless light petroleum hydrocarbons.

* * * * *

5. In § 121.2557(d)(3), the table is changed by deleting the item "Petroleum oil, aliphatic" and by alphabetically inserting therein a new item, as follows:

§ 121.2557 Defoaming agents used in coatings.

* * * * *

(d) * * *
(3) * * *

List of substances	Limitations
* * *	* * *
Odorless light petroleum hydrocarbons.	As defined in § 121.2594.

* * * * *

6. The following new section is added to Subpart F:

§ 121.2594 **Odorless light petroleum hydrocarbons.**

Odorless light petroleum hydrocarbons may be safely used, as a component of nonfood articles intended for use in contact with food, in accordance with the following prescribed conditions:

(a) The additive is a mixture of liquid hydrocarbons derived from petroleum or synthesized from petroleum gases. The additive is chiefly paraffinic, isoparaffinic, or naphthenic in nature.

(b) The additive meets the following specifications:

(1) Odor is faint and not kerosenic.

(2) Initial boiling point is 300° F. minimum.

(3) Final boiling point is 650° F. maximum.

(4) Ultraviolet absorbance limits determined by method specified in § 121.2589(b)(1)(ii), as follows:

Wavelength	Maximum absorbance per centimeter optical pathlength
mμ	
280-289	4.0
290-299	3.3
300-329	2.3
330-360	0.8

(c) The additive is used as follows:

Use	Limitations
As a plasticizer and absorber oil in the manufacture of polyolefin articles authorized for food contact use.	In an amount not to exceed that required to produce intended effect, consistent with good manufacturing practice.
As a lubricant of fibers of textiles authorized for food contact use.	At a use level not to exceed 0.15 percent by weight of finished fibers.
As a component of adhesives.	Complying with § 121.2520.
As a defoamer in the manufacture of paper and paperboard.	Complying with § 121.2519.
As a defoamer in coatings.	Complying with § 121.2557.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 15, 1965.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 65-6517; Filed, June 21, 1965; 8:47 a.m.]

Title 29—LABOR

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1500—CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION

State Certificates of Age

The age, employment, or working certificates or permits of several States are designated in 29 CFR 1500.21 as having the same force and effect as Federal certificates of age issued under section 3(1) of the Fair Labor Standards Act of 1938 (52 Stat. 1061 as amended; 29 U.S.C. 203).

In a document promulgated on June 25, 1964, and published in the FEDERAL REGISTER on July 2, 1964 (29 F.R. 8375), it was provided that these designations would expire on June 30, 1965.

Pursuant to section 3(1) and section 11(b) of the Fair Labor Standards Act of 1938 (52 Stat. 1061 and 1066 as amended; 29 U.S.C. 203 and 211), and Reorganization Plan No. 2 of 1946 (3 CFR 1943–1948 Comp., p. 1064), I hereby extend the designations contained in 29 CFR 1500.21 until June 30, 1966.

Signed at Washington, D.C., this 16th day of June 1965.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 65-6506; Filed, June 21, 1965; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER P—RECORDS

PART 288—SCHEDULE OF FEES AND CHARGES FOR COPYING, CERTIFICATION, AND SEARCH OF RECORDS

Fees

Section 288.6 of Part 288 has been revised as follows:

§ 288.6 **Exhibit A—Schedule of Fees.**

EXHIBIT A

SCHEDULE OF FEES

Applicable to authorized services of copying, certifications, and search of records rendered to the public by components of the Department of Defense. Requests involving:

	Fee
1. Training and education:	
a. Transcripts:	
Original copy	$1.00
Each additional copy (Includes requests for transcripts of graduation from military academies and schools.)	.50
b. Certificates:	
Original copy	.50
Each additional copy (Includes all requests for certificates, verification of attendance, and course completion from service schools and other facilities.)	.25
2. Medical and dental records of civilians (includes requests for information from or copies of medical records, including clinical records, outpatient records, dental records, and loan of X-rays).	
Up to and including two typewritten or two reproduced pages	2.50
Each additional typewritten page	1.25
Each additional photo copy	.25
Loan of each X-ray	1.00
3. Medical and dental records of uniformed services personnel and their dependents when request is received from other than the member or their dependent (includes requests for information from or copies of medical records, including clinical records, outpatient records, dental records, and loan of X-rays).	
Up to and including two typewritten or two reproduced pages	2.50
Each additional typewritten page	1.25
Loan of each X-ray	1.00
Each additional photo copy	.25
4. Military membership and record:	
a. Address of record, each	1.50
b. Certificate in lieu, statement of verification of service, or report of separation, each	2.50
c. Copy or extract of order or other record (excluding medical, dental, and X-ray records), each	2.25
d. Furnishing information on decorations and awards to service organizations	2.00
5. Photography:	
a. Still pictorial or documentary photographic prints, black and white, and not more than three prints may be sold from any individual negative on each order. Unlisted standard sizes of black and white prints may be furnished, if available, at proportionate fees.	
8 x 10 single weight glossy finish, 1st print	.90
2d and 3d prints, each	.40
8 x 10 double weight matte finish, 1st print	.95
2d and 3d prints, each	.45
11 x 14 double weight matte finish, 1st print	1.15
2d and 3d prints, each	.45
16 x 20 double weight matte finish, 1st print	1.35
2d and 3d prints, each	.60
20 x 24 double weight matte finish, 1st print	1.50
2d and 3d prints, each	.70
35mm color transparencies (cardboard mount), each	1.10
4 x 5 color transparencies or color negative, each	6.00
8 x 10 color transparencies or color negative, each (in quantities not to exceed three copies of any one view).	10.00
Color prints will not be furnished for public use.	

	Fee
5. Photography—Continued	
b. Aerial photographic prints, contact prints, or exact negative sizes, single weight glossy or double weight semimatte.	
7 x 9 or 9 x 9, in quantities:	
1–5, $1.00 each print.	
6–100, $5.00 plus $0.85 for each print over 5 and up to 100.	
101–1000, $85.75 plus $0.65 for each print over 100 and up to 1,000.	
Over 1,000, $670.75 plus $0.60 for each print over 1,000.	
9 x 18 in quantities:	
1–5, $2.00 for each print.	
6–100, $10.00 plus $1.70 each print over 5 and up to 100.	
101–1,000, $171.50 plus $1.30 for each print over 100 and up to 1,000.	
Over 1,000, $1,341.50 plus $1.20 for each print over 1,000.	
c. Aerial Photographic Indexes and Mosaic copies in any number size 20 x 24, each $1.30.	
d. Reproduction of Cover Overlays:	
Transparent foil film overlays, each	$1.50
Transparent paper overlays each	.60
Transparent paper plot maps, per square foot	.10
Photostat plot maps (maximum size 17½ x 23), each	.65
e. Motion Picture: 16 MM. or 35 mm. black and white unedited footage and/or optical sound track, per foot	.10
Color unedited footage:	
16 mm., per foot	.20
16 mm., internegative	.25
35 mm., per foot	
Viewing or release print, each	.25
Separation master positive (3 required)	.75
Color interpositive, each	.55
Color, internegative, each	.55
Magnetic Tape (per foot):	
16 mm. (Direct Dubb), each	.05
35 mm. (Direct Dubb), each	.05
Searching (including overhead): Each hour or fraction thereof per hour)	7.00
All film used in duplication to furnish a requested end product shall be charged for on a per foot basis.	
Minimum charge (including stock search) per order	10.00
6. Construction and engineering information:	
Copies of aerial photographic maps, specifications, permits, charts, blueprints, and other technical engineering documents.	
Searching, per hour or fraction thereof (including overhead costs)	3.00
First print	.50
Each additional print of same document	.25
7. Copies of medical articles and illustrations. Standards contained in reference (a) of the basic instruction will be utilized in computing costs.	
8. Claims and Litigations:	
a. Requests from litigants pertaining to private litigation (if not covered in 2 or 3 above).	
Searching per hour or fraction thereof (including overhead costs)	3.00
Processing per hour — minimum charge one-half hour	3.00
Each photocopy	.25
Certification and validation with seal, each	.75
Certification and validation without seal, each	.50
8. Claims and Litigations—Con.	
b. Requests pertaining to cases in which the United States is a party and where court rules provide for reproduction of records without cost to the Government.	
Searching per hour or fraction thereof (including overhead costs)	$3.00
Processing per hour — minimum charge one-half hour	3.00
Each photocopy	.25
Certification and validation with seal, each	.75
Certification and validation without seal, each	.50
c. Furnishing information from Investigative Reports, e.g., automobile collision investigations, safety reports.	
Searches, overhead, analysis and preparation of report (per hour — minimum charge one-half hour)	3.00
9. General:	
Charges for any additional services not specifically provided above and consistent with the provisions of the basic instruction will be made by the respective military department at the following rates:	
Searching per hour or fraction thereof (including overhead costs)	3.00
Processing per hour—minimum charge one-half hour	3.00
Each photocopy	.25
Certification and validation with seal, each	.75
Certification and validation without seal, each	.50
Review of application for authorization to solicit members of the military services for the purchase of life insurance on U.S. military installations in foreign areas	125.00
Hand drawn plots and sketches (see hour minimum charge, $2.00)	3.50

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 65-6511; Filed, June 21, 1965; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3528]

[Oregon 014931]

OREGON

Powersite Restoration No. 619; Powersite Cancellation No. 209; Partly Revoking Certain Powersite Withdrawals

Correction

In F.R. Doc. 65–872, appearing at page 885 of the issue for Thursday, January 28, 1965, the land description for section 10, under T. 2 N., R. 18 E., should read as follows: "Sec. 10, SW¼NW¼SE¼ and NE¼SW¼;".

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 65-517]

PART 18—INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT

Prototype Certification Procedure

Report and order. 1. The Commission has reviewed the present procedure for prototype certification of industrial heating equipment and has concluded that a simpler procedure can be instituted without loss of effectiveness of regulation and with considerable saving of processing time and paperwork to both equipment manufacturers and the Commission.

2. Most heaters today are certificated on the basis of measurements made by the manufacturer on a prototype of the heater. The present procedure for certificating these industrial heaters requires the manufacturer to supply three copies of the report of radiation measurements plus installation instructions to the purchaser of each industrial heater. The purchaser then need merely complete Part I of FCC Form 724 (and companion Part II when applicable) attesting that he has followed the installation instructions; and send one copy of this completed form together with the measurements report and installation instructions to the Commission's Washington office, one copy to the Commission's engineer in charge of the area field office where the industrial heater is to be located, and retain the third copy with the equipment.

3. Thus if 100 units of a prototype are sold, the manufacturer must reproduce and distribute 300 copies of the report of measurements and installation instructions and 200 copies of these documents find their way into the FCC files as attachments to FCC Form 724 submitted by each user.

4. The Commission has reviewed this procedure and concluded that it can safely dispense with this multiple filing of duplicate copies of the same report, and thereby eliminate a substantial amount of paperwork on the part of the manufacturer of the equipment, the purchaser, and the Commission itself. It has accordingly revised its certification requirements for prototype certification of industrial heaters.

5. The new prototype certification procedure will permit the manufacturer to submit to the Commission's Washington office one copy of completed Part III of FCC Form 724, together with a report of radio frequency measurements on the prototype. The manufacturer may then identify production units which are similar to the prototype by providing a certification seal for each unit. The purchaser, in certificating these industrial heating units, will be required to complete and file with the Commission's Washington office and also with the appropriate field office only Part I (and Part II when applicable) of FCC Form 724 certifying that the manufacturer's installation instructions have been fol-

lowed. FCC Form 724 has been revised to accommodate this simplified procedure for prototype certification of industrial heating equipment. This form must be used for prototype certification of industrial heating equipment and may also be used for certification of any single unit of ISM equipment.

6. Triple copies of the five-or-more-page measurements report will no longer be required of the manufacturer for the hundreds of units subsequently produced and sold. Multiple reviewing and filing by the Commission's Washington office and by its field offices of thousands of duplicate measurements reports formerly contained in each certification will be eliminated, effecting a saving of processing time and filing space.

7. By this same order the Commission is making an editorial change in § 18.118 (a) to correct the reference from Subpart F to Subpart D.

8. Since the amendments adopted herein impose no new requirements but rather simplify an existing procedure, compliance with the notice, procedural, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary.

9. The amendments adopted herein are issued pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

10. *Accordingly, it is ordered*, This 16th day of June 1965, that, effective July 1, 1965, FCC Form 724 is revised [1] and Part 18 is amended as set forth below. Revised FCC Form 724 is available from the Commission's offices in Washington, D.C., or from any of its engineering field offices.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154; interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[1] Filed as part of original document.

Released: June 17, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE,
Secretary.

Part 18 is amended as follows:

1. The text of § 18.114 is amended to read as follows:

§ 18.114 Prototype certification permitted.

(a) Provision for prototype certification is made on the basis that production units can be expected to exhibit the same radiation characteristics as those of the prototype. Acceptance of prototype certification is based on representations and field strength measurements made by the manufacturer of industrial heating equipment.

(b) The procedure for prototype certification is set out in §§ 18.125 and 18.126.

2. The text of §§ 18.116 (b) and (c) is amended to read as follows:

§ 18.116 Certificate to be filed with Commission.

* * * * *

(b) For equipment which carries the manufacturer's prototype certification label, the certificate shall consist of Part I and Part II, if applicable, of FCC Form 724.

(c) For equipment which does not carry the manufacturer's prototype certification label, the certificate shall consist of Parts I, II, if applicable, and III of FCC Form 724 plus the report of radiation measurement pursuant to § 18.109. A facsimile copy of the properly completed and signed Part III of FCC Form 724 may be submitted in lieu of the original thereof.

3. The text of § 18.118(a) is amended to read as follows:

[2] Commissioner Cox absent.

§ 18.118 Rejection of certificate.

(a) A certificate that is incomplete or otherwise does not meet the requirements of Subpart D of this part may be rejected.

4. Insert new §§ 18.125 and 18.126 to read as follows:

§ 18.125 Prototype certification procedure.

(a) Manufacturers desiring to prototype certificate their equipment, must file all the information set out in § 18.126. A separate prototype certificate shall be filed for each type of equipment.

(b) Receipt of each prototype certificate will be acknowledged subject to review at a later date.

(c) After filing the required information, the equipment may be identified with a label carrying the following statement:

The (name of manufacturer) has prototype certificated this equipment to the FCC as complying with Part 18 of its rules.

(d) The identifying label may be part of the equipment nameplate. If separate therefrom, the label shall be attached to the equipment in the vicinity of the nameplate.

§ 18.126 Information to be filed for prototype certification.

(a) Original of Part III of FCC Form 724 properly completed and signed.

(b) Report of radiation measurements pursuant to § 18.109.

(c) Installation instructions to be furnished to purchaser of the equipment.

(d) A statement certifying that production will be adequately controlled to insure that all units produced are capable of operating in compliance with the technical requirements of this subpart. This statement shall be signed by a responsible official authorized to sign for the manufacturer and shall show his title.

[F.R. Doc. 65-6528; Filed, June 21, 1965; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 724]

FLUE-CURED TOBACCO

Notice of Determination To Be Made With Respect to Referendum Held May 4, 1965

Pursuant to the Agricultural Adjustment Act of 1938, as amended, and as further amended by the addition of section 317 by Public Law 89-12, approved April 16, 1965, the Secretary under section 317(b) is preparing to determine whether more than 66⅔ per centum of the farmers voting in the special referendum on flue-cured (Types 11, 12, 13, and 14) tobacco held on May 4, 1965, approved marketing quotas on an acreage-poundage basis for the 3 marketing years beginning July 1, 1965, July 1, 1966, and July 1, 1967, in lieu of quotas on an acreage basis for those marketing years.

Consideration will be given to any data, views, and recommendations pertaining to the proposed determination which are submitted in writing. Such submissions shall be addressed to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250, and must be postmarked not later than 10 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be available for public inspection at such times and places and in a manner convenient to the public business (7 CFR Part 1.27).

Signed at Washington, D.C., on June 18, 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-6604; Filed, June 18, 1965; 4:35 p.m.]

Consumer and Marketing Service

[7 CFR Part 1133]

[Docket No. AO-275-A11]

MILK IN INLAND EMPIRE MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Spokane, Wash., on April 14, 1965, pursuant to notice thereof issued on March 15, 1965 (30 F.R. 3606).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on May 26, 1965 (30 F.R. 7284; F.R. Doc. 65-5696), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (30 F.R. 7284; F.R. Doc. 65-5696) are hereby approved and adopted and are set forth in full herein:

The material issues on the record of the hearing relate to:

1. Marketing area;
2. Diversion of producer milk;
3. Accounting for receipts of other source milk; and
4. Class I price supply-demand adjuster.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Marketing area.* The villages of Juliaetta and Kendrick in Latah County, Idaho, should continue to be included in the Inland Empire marketing area.

These villages are located about 4 miles apart in the very southern-most portion of the defined marketing area. Their combined population at the time of the 1960 U.S. census was 811. Fluid milk products are distributed in the two villages by the operator of a partially-regulated distributing plant and by two fully regulated handlers.

The operator of the partially-regulated distributing plant proposed that Juliaetta and Kendrick be deleted from the defined marketing area. The adoption of this proposal was desired so that the handler no longer would be required to make what were described by a witness as "penalty payments" to the producer-settlement fund with respect to the in-area fluid milk sales in these villages. It was contended that by eliminating such payments the farmers supplying the handler with milk would be relieved of the burden of these payments which they themselves had mutually agreed to bear.

Proponent's Class I sales in the marketing area are not sufficient to cause his plant to be fully regulated under the order. As a "fringe area" handler, however, he is subject to regulation with respect to those fluid milk sales which he makes in the marketing area. The decision of the Assistant Secretary issued June 19, 1964 (29 F.R. 9214), concerning proposed amendments to this order sets forth in considerable detail the need and basis for the pricing of fluid milk distributed in the marketing area from a plant not regulated under the order. Such amendments became effective August 1, 1964 (29 F.R. 10990).

Proponent has three options with respect to his obligations under the order on his in-area sales. He may elect to pay to the producer-settlement fund any amount by which the classified use value of his total milk receipts exceeds his actual payments to dairy farmers. Under this option, it is necessary for the handler to submit to the market administrator sufficient information concerning his processing and distribution operations so that his obligation may be computed as though the plant were a pool plant. This option, often referred to by the industry as the "Wichita option", is advantageous to an unregulated handler who pays his farmers the equivalent of the order class prices. Under a second option, proponent may elect to pay to the producer-settlement fund the difference between the order Class I price and weighted average price of all producer milk in the market, each applicable at the location of the handler's plant, with respect to each hundredweight of Class I milk he distributes within the marketing area. If he desires not to obligate himself for this type of pool payment, he may, under the third option, offset his in-area sales by purchasing Class I milk from pool plants or plants regulated under other orders.

Proponent has been meeting his order obligation on his in-area sales by paying to the producer-settlement fund the difference between the order Class I price and weighted average price of all producer milk. The handler's payments to the farmers supplying him milk are sufficiently high, however, that if he were to elect the Wichita option his obligation under the order would be limited merely to administrative assessments. The handler is aware of the opportunity to reduce his pool obligations by use of the Wichita option.

The order provides proponent with a means through which relief from the obligations of which there is complaint may be obtained. There is no indication that the conditions under which it was found appropriate to include these villages in the marketing area have changed in a manner which warrants changing the marketing area boundaries for proponent's purpose. Accordingly, the proposal is denied.

2. *Diversion of producer milk.* The present diversion provisions should be changed to allow limited diversions of producer milk to nonpool plants in all months of the year. Such limits should be based on a certain percentage of the combined deliveries of milk by producers to all pool plants, including eligible diversions. The order should provide also that two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their producer members.

Presently, producer milk may not be diverted to a nonpool plant during any of

the months of July through November. In the other months of the year, producer milk may be diverted without limit to a nonpool plant by either a cooperative association or a proprietary handler. However, a producer whose milk is so diverted must have delivered milk to a pool plant during some portion of the immediately preceding period of July through November.

A cooperative association proposed that diversion of producer milk to nonpool plants be allowed during any month but on a limited basis. In the case of a cooperative association, diversions would be limited to 25 percent in each of the months of December through August, and 15 percent in each of the other months, of the total producer milk received at all pool plants during the month from the association's members. Similar limitations would be applicable in the case of a proprietary handler except that the limits would relate to milk of producers who are not members of a cooperative association. Under the proposal, diversions in excess of such percentages would not be producer milk and the diverting handler would specify the dairy farmers whose milk is ineligible as such. In addition, milk of a producer must be delivered to a pool distributing plant on at least three days during the month if any of his milk is diverted during the months of September through November. The association further proposed that two or more cooperative associations be allowed to compute their allowable diversions on a combined basis. The proposal was supported by the other cooperative association in the market.

The proposal as published in the hearing notice was modified at the hearing by proponent in two respects. In its original form the proposal would have priced diverted milk at the location of the plant to which it was diverted rather than at the location of the plant from which diverted as the order now provides. Also, the proposal would have excluded from producer status a farmer whose milk was diverted to a nonpool plant where it would be classified and priced under another Federal order. Proponent abandoned both provisions. Inasmuch as these provisions were not supported by proponent or other persons, they are not considered herein.

Diversion provisions similar to those proposed and supported at the hearing should be adopted. The present order provisions concerning the diversion of producer milk to nonpool plants do not facilitate the orderly and economical disposal of milk which is in excess of the fluid needs of the market. The problems of handling excessive producer milk supplies have been such that in 1962 and 1963 it was necessary to suspend for the months of July and August the order provision which prohibits any diversion of producer milk in those months. Similar suspension action was again necessary in 1964, but in this case for the months of July through November. Thus, in 1964 unlimited diversion was, in effect, allowed throughout the entire year.

Annual receipts of producer milk in the market have increased steadily since 1961 without a corresponding increase in the Class I utilization of such milk. Between 1961 and 1964 producer receipts increased 13.9 percent while producer milk in Class I increased only 6.5 percent. For the period of July through November, when diversion of producer milk to nonpool plants is not allowed, producer receipts increased 18.8 percent between 1961 and 1964. The use of producer milk in Class I in this 5-month period increased only 4.2 percent.

It has been necessary to channel the increasing supplies of milk in excess of the fluid needs of the market into manufactured products. Plants pooled under the Inland Empire order have only limited manufacturing facilities. Consequently, such milk must be moved to nonpool plants where the milk can be handled. During those months when diversions are not allowed, however, extra plant handling and transportation is required in disposing of the milk. Such milk must be moved first from the farm to a pool plant and then be transferred to a nonpool plant where it can be manufactured. This arrangement for handling excess milk is uneconomical.

In view of the increased milk supplies, particularly during the fall months, and the limited manufacturing facilities at pool plants, it is therefore appropriate to provide under the order that milk may be diverted to nonpool plants during any month of the year. Accordingly, the order should provide that a cooperative association may divert to a nonpool plant during each of the months of September through November up to 15 percent of the total milk of its producer members. For each of the remaining months of December through August the diversion limitation should be 25 percent. The operator of a pool plant should have the same diversion privileges as a cooperative association. The diversion limitation in this case, though, should apply to the percentage of milk received (or diverted) from producers who are not members of a cooperative association exercising its diversion privilege.

While allowing diversions in all months is desirable, it is necessary that limits be applied. This will assure that producer milk which is being pooled is associated with the fluid market. The absence of diversion limitations for all months of the year would encourage the procurement of additional milk for manufacturing use without regard for the fluid requirements of the market.

The level of the percentage limits stated above will accommodate the amount of milk which the proponent association must divert. The association assumes the responsibility of handling and disposing of its member milk which is in excess of the fluid needs of the market. During the months of seasonally high production, this burden becomes greater as handlers being supplied in part by the association rely to a greater extent, or even entirely, on milk from nonmembers for their fluid requirements. In 1964, the association diverted to nonpool plants 16.8 percent of its total member milk. In July of that year the association diverted 23.6 percent of its member milk to a nonpool plant.

The higher percentage limit for the months of December through August relative to the limit for the remaining months recognizes the seasonally greater production of milk and the consequent need for diverting a larger proportion of the total producer milk supply. The present order provisions already reflect this in that no diversion limits exist for the December through June period. Evidence indicates that the months of July and August should be included in the period for which more liberal diversion limits are provided. In 1964, both cooperative associations in the market diverted more member milk during these 2 months than during any of the remaining months of the year.

The diversion provisions proposed herein will provide handlers with the opportunity to reduce the hauling distances now involved in moving excess milk to nonpool plants during the fall months. The manufacturing plants to which surplus milk is normally moved are located at Moses Lake, Wash., and Sandpoint, Idaho. In 1964, milk was moved also to a more distant plant at Ellensburg, Wash., because of the inability of the Moses Lake plant to handle a sufficient amount of the surplus milk. All three plants are located a considerable distance from the pool plants at which producer milk is normally received for processing and packaging. Such pool plants are located in either the Spokane, Wash., area or in Coeur d'Alene, Idaho. Under the method of computing diversion limits on the basis of the combined deliveries of producers, handlers may take advantage of the relative location of producers' farms and the plants to which milk must be moved. The milk of producers whose farms are located near pool plants may be moved on a regular basis to such plants while milk of more-distant producers may be moved to the more-distant nonpool plants.

One cooperative association moves regularly to the Moses Lake plant on an every-other-day basis about 50,000 pounds of producer milk from farms located in the vicinity of Pullman, Wash., and Moscow, and Cottonwood, Idaho. The other cooperative association has farm bulk tank pick-up routes in the Bonners Ferry and Sandpoint, Idaho, areas and diverts this producer milk to the Sandpoint manufacturing plant. In these situations, it is not practical to require the milk to be moved first to pool plants and then to the distant nonpool plants for manufacturing. More than 50 miles of hauling may be saved, for example, in the direct movement of milk from farms to the Moses Lake plant. Even greater transportation savings are possible with respect to milk diverted to Sandpoint.

Evidence indicates that member milk of a cooperative association is commingled with nonmember milk when moved by a plant operator from certain farms to his plant. The order should provide, therefore, that the operator of a pool plant may divert the milk of producer members of a cooperative association which is commingled on a tank truck at the time of delivery from the farm with milk of nonmembers who are

shipping to the handler's plant. Under this arrangement the member milk involved should be included with the handler's nonmember milk in determining the handler's diversion limits. The total amount of the cooperative association's member milk on which the association's diversion limits are based should be reduced by the amount of member milk involved. The plant operator and the association should notify the market administrator of an agreement to such an arrangement. With such a provision, plant operators will not be limited in maximizing the benefits of the diversion allowances.

Two or more cooperative associations should be allowed to have the amount of their allowable diversions computed on the basis of the combined deliveries of milk by their member producers. This arrangement should not be effective unless each association involved has filed such a request with the market administrator, however. Under this provision cooperative associations would be provided the opportunity to mutually arrange the handling of excess milk in a manner which could minimize the cost of moving producer milk to nonpool manufacturing plants.

As indicated previously, some limit on diversions is necessary to assure that a producer whose milk is diverted has demonstrated a reasonable association with the Class I market. A limitation computed on a percentage basis, however, could result in a producer's milk never being received at a pool plant. The order therefore should require minimum deliveries of his milk to pool plants. If any of his milk is diverted during the months of September, October, or November, milk of the producer should be delivered to a pool plant on at least 6 days (3 days in the case of every-other-day delivery) during the month. A producer who begins supplying the market any time during the period of December through August should be required to have his milk received at a pool plant on at least 1 day before any of his milk is diverted to a nonpool plant.

It is necessary that the order provide for the treatment of milk which is diverted in excess of the limits proposed herein. Such milk should not be considered as producer milk. The diverting handler should be required to specify the producers whose milk is to be considered ineligible as such. In the absence of any designation, producer milk status should be forfeited with respect to all milk diverted by the handler. When excessive diversions occur under the circumstance where two cooperative associations are computing their allowable diversions on a combined basis, the association whose diversions have exceeded the limits when computed on an individual association basis should be the handler accountable for designating the excessive diversions.

3. *Accounting for receipts of other source milk.* The manner in which nonfluid milk products utilized by a handler are now accounted for under the order should be modified.

The order now provides that a handler must report as a receipt of other source milk all nonfluid milk products obtained from any source (including those processed at his plant) which are reprocessed or converted to another product in the plant during the month. This would be the case regardless of the classification of the product in which such receipts are used. All receipts and utilization of nonfluid milk products are required to be reported on a skim milk equivalent basis. A handler is not accountable under the order for any disappearance of nonfluid milk products not so reprocessed.

A cooperative association which operates a pool plant proposed that nonfluid milk products which are used to produce a Class II or Class III product not be included in a handler's report of receipts and utilization. The association proposed, however, that receipts of nonfluid milk products which a handler cannot account for as having been utilized be included in his receipts of other source milk to be accounted for under the order. Under the proposal a reasonable shrinkage allowance would be provided. The association further proposed that a handler be required to submit a monthly reconciliation of all nonfluid milk products handled at his plant during the month.

The witness for the proponent association contended that adoption of the proposal would simplify the compilation and auditing of handlers' monthly reports of receipts and utilization which are submitted to the market administrator. It was further contended that market statistics would reflect more realistically the receipts and utilization of milk if those nonfluid milk products which are used to produce manufactured products were not required to be reported and accounted for on a skim milk equivalent basis.

The order should be changed so that handlers would not be required to include in their reports of receipts and utilization nonfluid milk products which are used to produce Class II and Class III products. Handlers should report, however, any disappearance of nonfluid milk products not otherwise accounted for. Such products would be reported and accounted for on a skim milk equivalent basis.

Handlers presently are required to differentiate on their monthly reports of utilization the manufactured milk products in which nonfluid milk products, such as nonfat dry milk and condensed skim milk, are used. Nonfluid milk products used to produce manufactured milk products are classified as Class III milk regardless of the classification of the resulting manufactured product. Under the Inland Empire order, most of the manufactured products in which nonfluid milk products are used are those for which utilization of fluid milk products is classified as Class II milk. It is thus necessary that the skim milk and butterfat used to produce ice cream, ice cream mix, frozen desserts, cocoa mixes and cottage, pot and bakers' cheeses be distinguished between that in fluid milk products and that in nonfluid milk products, since classification of milk in these uses is determined on the basis of source.

The principal advantage of skim milk equivalent accounting is that all receipts are thereby accounted for on a common basis, which facilitates assignment of receipts from various sources to the total classified use of a handler's plant or plants. Under the Inland Empire order, however, nonfluid milk products used in the production of other manufactured products are classified in the class (Class III) to which they are first assigned in the allocation sequence. Therefore, accounting for such products as other source milk on a skim milk equivalent basis merely results in an offset in the same class between identical quantities reported as used to produce and reported as a receipt of other source milk. If both items are omitted from the report, returns to producers will in no way be affected.

It is concluded that the other source milk definition with respect to nonfluid milk products reprocessed or converted to another product in the plant during the month should be restricted to those reprocessed in connection with or converted to a fluid milk product. As a conforming change the classification provision (§ 1133.41(c)(7)) for Class III classification of nonfluid milk products used to produce certain designated manufactured products is eliminated.

To assure that the effectiveness of the classification and pricing of producer milk is not weakened, the amount of any disappearance of such products, for which utilization or disposition cannot be established by the records handlers are now required to keep, should be included in handlers' receipts of other source milk. No special shrinkage allowance with respect to the disappearance of nonfluid milk products should be provided. No need for such an allowance was established on the record.

4. *Class I price supply-demand adjuster.* The standard utilization percentages, or "norms", which are used in computing the supply-demand adjustment of the Class I price should be revised to reflect a different seasonal pattern.

The present order contains a formula for automatically adjusting the Class I price as supply and demand conditions in the market change in relation to a predetermined "normal" market situation. Under this formula a current "Class I utilization percentage", indicating the relationship of producer supplies to Class I milk sales during the second and third months preceding the month for which the Class I price is being determined, is computed. This ratio is then compared with the standard considered as normal for the corresponding months of the year. The norm for each month is expressed as a range of 4-percentage points. This range allows minor aberrations in the supply-sales relationship without an adjustment of the Class I price.

The order provides that the monetary rate of adjustment for each percentage point of deviation of the current Class I utilization percentage from the norm shall be 1 cent per hundredweight. The amount of total adjustment is increased if deviations from the norms of like direc-

tion and of equal or lesser amounts were computed for one or both of the preceding 2 months. Under this arrangement the amount of monetary adjustment for variations in the supply-demand relationship from the standards adopted are nominal when such variations first appear. The adjustment increases progressively, however, as a variation of like direction and amount persists.

A cooperative association proposed that the range of the percentage norms now set forth in the order be widened so that there may be a greater fluctuation than at present in the supply-sales relationship without any adjustment in the Class I price. Under the proposal, the seasonal variation of the percentage norms also would be changed. The association further proposed that the monetary adjustment per percentage point of deviation of the supply-sales relationship from the norms be reduced to one-half of the present rate. The witness for the association contended that the present supply-demand adjuster is too "sensitive". It was contended that because of the relatively small volumes of Class I milk and producer supplies in this market, minor changes in either of these quantities can result in undue adjustments of the Class I price.

The standard utilization percentages should be revised only for the purpose of changing their seasonal variation. The attached proposed order reflects the new percentage norms which should be used in computing supply-demand adjustments. While the seasonal variation of the norms is changed, the annual relationship of producer receipts used in Class I milk is maintained at 73 percent, the level presently reflected in the order. No change should be made in the present one-cent rate of monetary adjustment per point of deviation. The change in the percentage norms proposed herein should not change the annual level of the Class I price.

The percentage norms in the order should reflect the seasonal variation in the market of the relationship of producer milk supplies to Class I sales. The norms set forth in the attached proposed order are based on the supply-sales relationship experienced in this market since February 1962. Data indicate that the seasonal variation of the norms for the pricing months of March, April, May, June, and December should reflect a somewhat higher level of producer milk used in Class I than is presently reflected. The percentage norms for the pricing months of July through November, on the other hand, should be lowered.

Revision of the seasonal variation of the norms in this manner will cause any adjustments of the Class I price to be based on a more realistic measurement of the deviation of the current supply-sales relationship from the pattern recently prevailing in the market. The Class I price thus will reflect more accurately the relative need for producer milk to meet the fluid milk requirements of the market.

Evidence does not indicate that widening the range of the norms to seven percentage points and decreasing by one-half the rate of adjustment per point of deviation, as proponent suggests, is warranted. The purpose of the supply-demand adjuster is to reflect automatically in the Class I price significant changes in the relationship of producer supplies to Class I sales. The modification proponent suggests would lessen considerably the responsive and timely measurement of such changes. Other than some failure to reflect accurately seasonal changes in utilization, adjustments of the Class I price have been appropriate to conditions in the market.

In support of the proposal, the association's witness described the depressing effect upon the Class I price of the influx of additional milk from new producers with relatively large herds. Such milk supplies newly added to the market cannot be considered in this case, however, as a temporary change in the total milk supply for the market. The change in the supply situation should be reflected in the Class I price to the extent the change is a deviation from the "normal" supply-demand relationship.

Any change in the supply-demand adjustment mechanism which would result in increasing the level of the Class I price is not appropriate under the present circumstance of increasing producer milk supplies in this market relative to Class I sales as described earlier herein. Proponent's suggested modifications would have increased the Class I price about 3.5 cents per hundredweight had they been in effect during a recent 3-year period. Such a price increase would encourage the production of additional supplies of milk not presently needed for fluid use.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, the exception received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with the exception, such exception is hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Inland Empire Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Referendum order; determination of representative period; and designation of referendum agent. It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Inland Empire marketing area, is approved or favored by the producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of April 1965 is hereby determined to be the representative period for the conduct of such referendum. James A. Burger is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (15 F.R. 5177), such referendum to be completed on or before the 30th day from the date this decision is issued.

Signed at Washington, D.C., on June 17, 1965.

JOHN A. SCHNITTKER,
Under Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area

§ 1133.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Inland Empire marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Inland Empire marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on May 26, 1965, and published in the FEDERAL REGISTER on June 2, 1965 (30 F.R. 7284; F.R. Doc. 65-5696), shall be and are the terms and provisions of this order, and are set forth in full herein:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

1. In § 1133.12, paragraph (c) is revised to read as follows:

§ 1133.12 Producer milk.

* * * * *

(c) With respect to diversions to nonpool plants:

(1) A cooperative association may divert for its account, pursuant to paragraph (b)(1) of this section, the milk of any member producer eligible for diversion. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, or 25 percent in other months, of its total member milk received at all pool plants and diverted therefrom during the month. Two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their member producers if each association has filed in writing with the market administrator a request for such computation;

(2) A handler operating a pool plant may divert for his account, pursuant to paragraph (a)(2) of this section, milk of any producer eligible for diversion, other than a member of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph. The total quantity of milk so diverted, however, may not exceed 15 percent in the months of September, October, and November, or 25 percent in other months, of the milk received at and diverted from such pool plant during the month from producers who are not members of a cooperative association which diverts milk pursuant to subparagraph (1) of this paragraph;

(3) The operator of a pool plant may divert the milk of any producer member of a cooperative association which is commingled on a tank truck at the time of delivery from the farm with milk of nonmember producers if the association and the plant operator each has filed in writing with the market administrator prior to any such diversion an agreement to such an arrangement designating the producer(s) involved. In such case, the total quantity of milk deliveries on which the diversion limits for the association are based shall be reduced by the total deliveries and diversions of member producers whose milk is diverted by the plant operator and the diversion limits for the plant operator shall be increased by a like amount;

(4) Milk diverted in excess of the limits specified shall not be considered as producer milk, and the diverting handler shall specify the producers whose milk is ineligible as producer milk. If a handler fails to designate such producers, producer milk status shall be forfeited with respect to all milk diverted by the handler;

(5) Producers eligible for diversion are those whose milk has been received at the pool plant prior to diversion from such plant (but not necessarily in the current month). Producers eligible for diversion in the months of September, October, or November must in addition have their milk received at a pool plant on at least 6 days (3 days in the case of every-other-day delivery) during the current month; and

(6) For the purpose of location adjustments pursuant to §§ 1133.53 and 1133.81, diverted milk shall be considered to have been received at the location of the plant from which diverted.

2. In § 1133.13, paragraph (b) is revised to read as follows:

§ 1133.13 Other source milk.

* * * * *

(b) Products, other than fluid milk products, from any source (including those processed at the plant) which are reprocessed in connection with, or converted to, a fluid milk product in the plant during the month, and any disappearance during the month of nonfluid milk products not otherwise accounted for.

3. In § 1133.15(c), subparagraph (1) is revised to read as follows:

§ 1133.15 Handler.

* * * * *

(c) * * *

(1) From a pool plant to a nonpool plant; and

* * * * *

§ 1133.41 [Amended]

4. In § 1133.41(c), subparagraph (7) is revoked.

§ 1133.44 [Amended]

5. In § 1133.44(a), the reference "paragraph (d)" is revised to read "paragraph (b)".

6. In § 1133.51(d), the table at the end of subparagraph (4) is revised to read as follows:

§ 1133.51 Class prices.

* * * * *

(d) * * *

(4) * * *

Month for which price applies	Months used in computation	Standard utilization percentage	
		Minimum	Maximum
January	October-November	70	83
February	November-December	70	79
March	December-January	74	77
April	January-February	75	78
May	February-March	74	77
June	March-April	72	75
July	April-May	67	70
August	May-June	62	65
September	June-July	62	68
October	July-August	67	70
November	August-September	72	75
December	September-October	78	81

* * * * *

§ 1133.82 [Amended]

7. In § 1133.82, the reference "§ 1133.80 (a)" is revised to read "§ 1133.80(b)".

§ 1133.87 [Amended]

8. In § 1133.87, the reference "§ 1133.80 (a)" wherever it appears is revised to read "§ 1133.80(b)".

§ 1133.88 [Amended]

9. In § 1133.88, the reference "§ 1133.44 (d)" is revised to read "§ 1133.44(b)".

[F.R. Doc. 65-6524; Filed, June 21, 1965; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 541]

DRIVER SALESMEN

Proposed Definition

On March 5, 1964, a proposal was made (29 F.R. 3206) to consider what changes, if any, should be made in the definition and delimitation of the term "outside salesman" (29 CFR 541.5) as it applies to driver salesmen (29 CFR 541.505) by reason of the increased importance of this subject resulting from the increased coverage of the Fair Labor Standards Act of 1938 (29 U.S.C. 201) provided by the Fair Labor Standards Amendments of 1961 (Public Law 87-30).

All relevant matter appearing in the transcript of oral proceedings held pursuant to the proposal and in all written presentations as well as all other pertinent information that has come to my attention has been considered. I have concluded that no change in the regulation defining "outside salesman" (29 CFR 541.5) is needed, but that an amplification of the interpretation of that regulation as it applies to driver salesmen is needed. Accordingly, pursuant to the authority in section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)) and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), I hereby propose to amend 29 CFR 541.505 to read as set forth below.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Administrator of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor Building, 14th Street and Constitution Avenue NW., Washington, D.C., 20210, within 30 days after this notice is published in the FEDERAL REGISTER.

The proposed revised section reads as follows:

§ 541.505 Driver salesmen.

(a) Where drivers who deliver to an employer's customers the products distributed by the employer also perform functions concerned with the selling of such products, and questions arise as to whether such an employee is employed in the capacity of outside salesman, all the facts bearing on the content of the job as a whole must be scrutinized to determine whether such an employee is really employed for the purpose of making sales rather than for the service and delivery duties which he performs, and, if so, whether he is customarily and regularly engaged in making sales and his performance of nonexempt work is sufficiently limited to come within the tolerance permitted by § 541.5. The employee may qualify as an employee employed in the capacity of outside salesman if, and only if, the facts clearly indicate that he is employed for the purpose of making sales and that he is customarily and regularly engaged in such activity within the meaning of the Act and this part. As in the case of outside salesmen whose jobs do not involve delivery of products to customers, the employee's chief duty or primary function must be the making of sales or the taking of orders if he is to qualify under the definition in § 541.5. He must be a salesman by occupation. If he is, all work that he performs which is actually incidental to and in conjunction with his own sales effort is exempt work. All other work of such an employee is nonexempt work.

(b) Employees who may perform a combination of selling or sales promotion activities with product deliveries are employed in a number of industries. Distributors of carbonated beverages, beer, bottled water, food and dairy products of various kinds, cigars and other nonfood products commonly utilize such employees, variously known as routemen, route drivers, route salesmen, dealer salesmen, distributor salesmen, or driver salesmen. Some such employees deliver at retail to customers' homes; others deliver on wholesale routes to such customers as retail stores, restaurants, hospitals, hotels, taverns, and other business establishments. Whether such an employee qualifies as an outside salesman under the regulations depends, as stated in paragraph (a) of this section, on the content of the job as a whole and not on its title or designation or the kind of business in which the employer is engaged. Hearings in 1964 concerning the application of § 541.5 to such employees demonstrated that there is great variation in the nature and extent of sales activity and its significance as an element of the job, as among drivers whose duties are performed with respect to different products or different industries and also among drivers engaged in the same industry in delivering products to different types of customers. In some cases the facts may make it plain that such an employee is employed for the purpose of making sales; in other cases the facts are equally clear that he is employed for another purpose. Thus, there is little question that a routeman who provides the only sales contact between the employer and the customers, who calls on customers and takes orders for products which he delivers from stock in his vehicle or procures and delivers to the customer on a later trip, and who receives compensation commensurate with the volume of products sold, is employed for the purpose of making sales. It is equally clear, on the other hand, that a routeman whose chief duty is to transport products sold by the employer through vending machines and to keep such machines stocked, in good operating condition, and in good locations, is not selling his employer's product or employed for the purpose of making sales but is employed for purposes which, although important to the promotion of sales to customers using the machines, plainly cannot characterize the employee as a salesman by occupation. In other cases there may be more difficulty in determining whether the employee is employed for the purpose of making sales, within the meaning of this part. The facts in such cases must be weighed in the light of the principles stated in paragraph (a) of this section, giving due consideration to the factors discussed in subsequent paragraphs of this section.

(c) One source of difficulty in determining the extent to which a route driver may actually be engaged in "making sales" arises from the fact that such a driver often calls on established customers day after day or week after week, delivering a quantity of his employer's products at each call. Plainly, such a driver is not "making sales" when he delivers orders to customers to whom he did not make the initial sale in amounts which are exactly or approximately prearranged by customer or contractual arrangement or in amounts specified by the customer and not significantly affected by solicitations of the customer by the delivering driver. Making such deliveries, as well as recurring deliveries the amounts of which are determined by the volume of sales by the customer since the previous delivery rather than by any sales effort of the driver, do not qualify the driver as an outside salesman nor are such deliveries and the work incident thereto directly to the making or soliciting of sales by the driver so as to be considered exempt work. On the other hand, route drivers are "making sales" when they actually obtain or solicit, at the stops on their routes, orders for their employer's products from persons who have authority to commit the customer for purchases. A driver who calls on new prospects for customers along his route and attempts to convince them of the desirability of accepting regular delivery of goods is likewise engaged in sales activity and is making sales to those from whom he obtains a commitment. Also, a driver salesman calling on established customers on his route, carrying an assortment of the articles which his employer sells, may be making sales by persuading regular customers to accept delivery of increased amounts of goods or of new products, even though the initial sale or agreement for delivery of the employer's products may have been made by someone else. Work which is performed incidental to and in conjunction with such sales activities will also be considered exempt work, provided such solicitation of the customer is frequent and regular. Incidental activities include loading the truck with the goods to be sold by the driver salesman, driving the truck, delivering the products sold, removing empty containers for return to the employer, and collecting payment for the goods delivered.

(d) Neither delivery of goods sold by others nor sales promotion work as such constitutes "making sales" within the meaning of § 541.5; delivery men and promotion men are not employed "in the capacity of outside salesman" for purposes of section 13(a)(1) of the Act although both delivery work and promotion work are exempt work when performed by a true outside salesman as an incident to his own sales or efforts to sell. The distinction between the making of sales and the promotion of sales is explained in more detail in the discussion and illustrations contained in § 541.504. Under the principles there stated a route driver, just as any other employee, must have as his chief duty and primary func-

tion the making of sales in the sense of obtaining and soliciting commitments to buy from the persons upon whom he calls if he is to qualify under the regulations as an employee employed in the capacity of outside salesman. For this reason, a route driver primarily engaged in making deliveries to his employer's customers and performing activities intended to promote sales by the customers, including placing point-of-sale and other advertising materials, price stamping commodities, arranging merchandise on shelves or in coolers or cabinets, rotating stock according to date, and cleaning and otherwise servicing display cases, is not employed in the capacity of an outside salesman by reason of such work. Such work is nonexempt work for purposes of this part unless it is performed as an incident to or in conjunction with sales actually made by the driver to such customers. If the driver who performs such functions actually takes orders or obtains commitments from such customers for the products which he delivers, and the performance of the promotion work is in furtherance of his own sales efforts, his activities for that purpose in the customer's establishment would be exempt work.

(e) As indicated in paragraph (a) of this section, whether a route driver can qualify as an outside salesman depends on the facts which establish the content of his job as a whole. Accordingly, in borderline cases a determination of whether the driver is actually employed for the purpose of, is customarily and regularly engaged in, and has as his chief duty and primary function the making of sales, may involve consideration of such factors as a comparison of his duties with those of other employees engaged as (1) truck drivers and (2) salesmen; possession of a salesman's or solicitor's license when such license is required by law or ordinances; presence or absence of customary or contractual prearrangements concerning amounts of products to be delivered; description of the employee's occupation in union contracts; the employer's specifications as to qualifications for hiring; sales training; attendance at sales conferences; method of payment; proportion of earnings directly attributable to sales effort; and other factors that may have a bearing on the relationship to sales of the employee's work. However, where it is clear that an employee performs nonexempt work in excess of the amount permitted by § 541.5, he would be nonexempt in any event and consideration of such factors as the foregoing would not be pertinent.

(f) The following examples will further illustrate the factual situations in which, under the principles discussed previously in this section, routemen engaged in recurrent deliveries of goods may qualify or may fail to qualify for exemption as outside salesmen.

(1) A retail routeman who regularly calls on established retail customers to deliver goods of generally prearranged amounts and kinds may also exert considerable effort not only to keep such customers satisfied to continue their orders for such goods but also to make such customers aware of other products which he would like to sell to them and to offer to take orders for such products or for increased amounts of the products which he is already delivering to the customer. In addition, he may call at prospective retail customers' homes for the purpose of persuading such persons to order the goods which he sells. A routeman who customarily and regularly calls on customers for these purposes and takes orders from them for products which he delivers to them, in addition to those products for which delivery has been prearranged, who is in practical effect his employer's exclusive sales contact with such customers, and whose earnings are in large part directly attributable to sales made to such customers, will be considered to be employed in the capacity of outside salesman and within the exemption provided by section 13(a)(1) of the Act if he does not perform nonexempt work in excess of the tolerance permitted by § 541.5.

(2) A routeman who calls on retail stores which are among his employer's established customers may also qualify for exemption as an outside salesman notwithstanding the goods he delivers to them are of kinds and in amounts which are generally prearranged. Other facts may show that making sales is his chief duty and primary function and that he is customarily and regularly engaged in performing this function. Thus, such a routeman whose regular calls on established customers involve not only delivery of prearranged items but also active efforts to persuade such customers to continue or increase their orders for such goods and to solicit their orders for other kinds of products which he offers for sale, who also calls on retail stores which are prospective customers, talks to persons who are authorized to order goods for such stores, and solicits orders from them for the goods which he sells, and whose compensation is based primarily on the volume of sales attributable to his efforts, will be considered exempt as an outside salesman if he does not perform nonexempt work in excess of the tolerance permitted by § 541.5.

(3) If a routeman delivers goods to branch business establishments whose personnel have no authority to place orders or make commitments with respect to the kinds and amounts of such goods, and if the kinds and amounts of goods delivered are not determined pursuant to orders placed by the authorized personnel of the customer's enterprise as a result of sales solicitation by the routeman, it is clear that the routeman's calls on such branch establishments are not a part of the making of sales by him or incidental to sales made by him. If such work is his chief duty or primary function or if he spends a greater proportion of the workweek in such work than is allowed for nonexempt work under § 541.5, such a routeman cannot qualify for exemption as an "outside salesman".

(4) A routeman who delivers to supermarkets after the enterprise has been persuaded, by a salesman of the routeman's employer, to accept delivery of goods, and whose functions other than such deliveries are primarily to arrange merchandise, rotate stocks, place point-of-sale and other advertising materials, and engage in other activities which are intended to promote sales by the supermarkets of the goods he has delivered, is not employed primarily for the purpose of selling and is not customarily and regularly engaged in making sales. Rather, he is employed primarily to deliver goods and to perform activities in the supermarkets of a nature usually performed by store employees not employed as salesmen. Such a routeman is not employed in the capacity of outside salesman within the exemption provided by section 13(a)(1).

(5) Some employees are engaged in a combination of activities involving delivery, the selling of services, and the performance of the services. For example, some drivers call on customers for the purpose of selling pesticides and, if a sale is consummated, applying the pesticides on the customer's property. Such employees, like those referred to in § 541.501(e), are not exempt as outside salesmen. They are primarily engaged in delivery or service functions, not in outside selling.

(Sec. 13, 52 Stat. 1067, 29 U.S.C. 213)

Signed at Washington, D.C., this 17th day of June 1965.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 65-6507; Filed, June 21, 1965; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 37]

[Regulatory Docket No. 1892]

LIFE PRESERVERS

Withdrawal of Notice of Proposed Rule Making

The Federal Aviation Agency has had under consideration a proposal to amend Part 514 of the Regulations of the Administration by amending the Technical Standard Order, Life Preservers—TSO-C13d. Effective January 4, 1965, Part 514 of the Regulations of the Administrator was recodified as Part 37 of the Federal Aviation Regulations without substantive change.

This Technical Standard Order contains minimum performance requirements for life preservers for use on civil aircraft of the United States engaged in overwater operations. The reasons for the proposal were set forth in the explanatory statement of a notice of proposed rule making that was published in the FEDERAL REGISTER (28 F.R. 8218) on August 9, 1963, and circulated to the public as Notice No. 63-31. Interested persons were afforded an opportunity to participate in the proposed rule making through submission of comments.

Notice No. 63-31 was intended to incorporate standards for a survivor locator light and to convert industry standards into the form of a self-contained Agency standard without sub-

stantive change. However, comments received on Notice No. 63-31 pointed out that substantive changes to the preserver standards had been introduced. Due to the urgency of the requirement, it was decided to issue a separate Technical Standard Order for survivor locator lights and to take separate action on the remainder of Notice No. 63-31 dealing with the life preserver standard at a later date. The TSO-C85, Survivor Locator Lights, was published in the FEDERAL REGISTER (29 F.R. 5943) on May 6, 1964.

Based on the comments received to Notice No. 63-31 and current studies conducted by the Agency, the issuance of an adopted rule based on the proposed life preserver standards in the notice is not justified at this time.

The Agency intends to continue its studies of the present life preserver standards and may issue a new notice of proposed rule making if these studies indicate a change in the TSO is needed.

In consideration of the foregoing, the remainder of Notice No. 63-31 dealing with the life preserver standard is hereby withdrawn.

This withdrawal shall become effective on publication in the FEDERAL REGISTER.

This withdrawal is made under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (42 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

Issued in Washington, D.C., on June 15, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-6484; Filed, June 21, 1965; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 63-SO-76]

CONTROL ZONE, TRANSITION AREA

Proposed Alteration and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Melbourne, Fla., control zone, designate the Cocoa, Fla., control zone and designate the Melbourne, Fla., transition area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting State, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its State aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Melbourne, Fla., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace actions:

1. The Melbourne, Fla., control zone would be amended to be that airspace within a 5-mile radius of John F. Kennedy Memorial Airport (latitude 28°06'-05" N., longitude 80°38'10" W.); within 2 miles each side of the 267° True bearing from the Melbourne radio beacon, extending from the 5-mile radius zone to 8 miles West of the radio beacon; within 2 miles each side of the Melbourne VOR 100° True radial, extending from the 5-mile radius zone to 8 miles E of the VOR; within 2 miles each side of the Melbourne VOR 262° True radial, extending from the 5-mile radius zone to 8 miles W of the VOR; excluding that portion which coincides with the Cocoa, Fla. (Patrick AFB) control zone.

2. The Cocoa, Fla. (Patrick AFB) control zone would be designated as that airspace within a 5-mile radius of Patrick AFB (latitude 28°14'05" N., longitude 80°36'35" W.); within 2 miles each side of the Patrick AFB TACAN 025° True radial, extending from the 5-mile radius zone to 8 miles NE of the TACAN; and within 2 miles each side of the Melbourne, Fla., VOR 007° True radial, extending from the 5-mile radius zone to 4 miles NE of the VOR.

3. The Melbourne, Fla., transition area would be designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the John F. Kennedy Memorial Airport (latitude 28°06'05" N., longitude 80°-38'10" W.); within a 7-mile radius of Patrick AFB (latitude 28°14'05" N., longitude 80°36'35" W.); that airspace extending upward from 1,200 feet above the surface within the arc of a 25-mile radius circle centered at the Patrick AFB, excluding that portion within the arc of a 35-mile radius circle centered at Herndon Municipal Airport, Orlando, Fla. (latitude 28°32'40" N., longitude 81°19'55" W.).

The proposed amendments are necessary to provide protection for aircraft executing instrument approach and departure procedures at Patrick AFB and John F. Kennedy Memorial Airport.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or present landing minimums be affected adversely.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Southern Region, FAA, Post Office Box 20636, Atlanta, Ga., 30320.

These amendments are proposed under sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510), and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 15, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6485; Filed, June 21, 1965; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-WE-5]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Lamar, Colo., transition area.

The Lamar transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 10 miles S and 7 miles N of the Lamar VOR 099° and 279° radials, extending from 20 miles E to 9 miles W of

the VOR excluding the airspace within Federal airways.

To complete the implementation of CAR Amendments 60-21/60-29 in the Lamar, Colo., terminal area, the Federal Aviation Agency is considering the following airspace action:

Redesignate the Lamar transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Lamar Airport (latitude 38°04'10" N., longitude 102°41'25" W.) and within 2 miles each side of the Lamar VOR 180° and 360° radials, extending from the 6-mile radius area to 8 miles N of the VOR; that airspace extending upward from 1,200 feet above the surface within 8 miles W and 6 miles E of the Lamar VOR 180° and 360° radials, extending from 15 miles S to 13 miles N of the VOR.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The Lamar transition area is required to provide protection for aircraft executing prescribed instrument approach, departure and holding procedures conducted within the Lamar terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on June 11, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-6486; Filed, June 21, 1965; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 64-WE-37]

VOR FEDERAL AIRWAYS AND CONTROL AREA EXTENSION

Proposed Alteration and Revocation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would establish segment floors, in part, for VOR Federal airways Nos. 85, 85 W alternate, 118, 26, 298, 298 S alternate, 187, 235, 19, 19 E alternate, and 247, and that would revoke the control area extension between V-298 and its S alternate from Dunoir, Wyo., to Casper, Wyo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

In consonance with the application of CAR Amendment 60-21/60-29 to airways in the Denver, Colo., and Salt Lake City, Utah, ARTCC Center areas, the Federal Aviation Agency proposes to establish floors on the above-mentioned airway segments as follows:

1. V-85/85 W alternate from Medicine Bow, Wyo., 1,200 feet a.g.l. to Casper, Wyo.

2. V-85 from Casper 1,200 feet a.g.l. to 29 miles W, thence 7,700 feet m.s.l. to 19 miles E of Riverton, Wyo., thence 1,200 feet a.g.l. to Riverton.

3. V-118 from Medicine Bow 8,500 feet m.s.l. to 10 miles NW of Laramie, Wyo., thence 1,200 feet a.g.l. to Laramie.

4. V-26 from Cherokee, Wyo., 1,200 feet a.g.l. to 11 miles NE, thence 11,100 feet m.s.l. to 36 miles SW of Casper, thence 1,200 feet a.g.l. to Casper.

5. V-298 from Dunoir, Wyo., 13,500 feet m.s.l. to 30 miles W of Boysen Reservoir, Wyo., thence 1,200 feet a.g.l. to 9 miles E of Boysen Reservoir, thence 10,500 feet m.s.l. to 48 miles W of Casper, thence 1,200 feet a.g.l. to Casper.

6. V-298 S alternate from Dunoir 13,000 feet m.s.l. to 51 miles NW of Riverton, Wyo., thence 11,000 feet to 36 miles NW of Riverton, thence 1,200 feet a.g.l. to 19 miles E of Riverton, thence 7,700 feet m.s.l. to 29 miles W of Casper, thence 1,200 feet a.g.l. to Casper.

7. V-187 from Riverton 1,200 feet a.g.l. to Boysen Reservoir.

8. V-235 from Rock Springs, Wyo., 1,200 feet a.g.l. to 24 miles NE, thence 10,700 feet m.s.l. to 55 miles SW of Casper, thence 1,200 feet a.g.l. to Casper.

9. V-19 from Casper 1,200 feet a.g.l. to 5 miles N, thence 7,100 feet m.s.l. to 5 miles S of Crazy Woman, Wyo., thence 1,200 feet a.g.l. to Sheridan, Wyo.

10. V-19 E alternate from Crazy Woman, 1,200 feet a.g.l. to Sheridan.

11. V-247 from Crazy Woman, 1,200 feet a.g.l. to 5 miles SE, thence 7,500 feet m.s.l. to Douglas, Wyo.

12. The control area extension between Victor 298 and its S alternate from Dunoir to Casper would be revoked since it is no longer required for air traffic control purposes.

The floors of 1,200 feet a.g.l. are required for climb to minimum en route altitudes, en route altitude changes, and aeronautical chart legibility.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 15, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6487; Filed, June 21, 1965; 8:45 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 63-WE-128]

JET ROUTES

Proposed Revocation

On February 28, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 2792) stating that the Federal Aviation Agency was considering an amendment to Part 75 of the Federal Aviation Regulations which would revoke Jet Route No. 96 between Seattle, Wash., and the United States/Canadian border.

While this notice of proposed rule making was pending, Jet Route No. 505, overlying and identical with Jet Route No. 96, was designated at the request of the Canadian Department of Transport to provide route continuity between Kimberley, Quebec, Canada, and Seattle; e.g., so that the Canadian and United States jet routes between Seattle and Kimberley would carry the same identifiers. For the same reasons that J-96 was proposed for revocation, J-505 is proposed for revocation.

Therefore, the original notice of proposed rule making is hereby altered to include the proposed revocation of both J-96 and J-505.

In order to provide interested persons time to adequately evaluate this proposal as modified herein and an opportunity to submit additional written data, views, or arguments, the date for filing such material will be extended to July 26, 1965.

This supplementary notice of proposed rule making is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 15, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6488; Filed, June 21, 1965; 8:45 a.m.]

[14 CFR Part 121]

[Reg. Docket No. 6722; Notice 65-13]

MINIMUM ALTITUDES FOR USE OF AUTOMATIC PILOT

Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending § 121.579(b) of the Federal Aviation Regulations to authorize amendment of a certificate holder's operations specifications to permit the use of an automatic pilot with an approach coupler to touchdown when certain criteria are met.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before August 18, 1965, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Even under the most favorable conditions, § 121.579(b) presently limits the use of an automatic pilot with an approach coupler to a minimum altitude of at least 50 feet above the terrain. The Agency believes that this limitation does not provide the flexibility that will be needed in the future to facilitate the efforts of the Agency, in collaboration with the aviation industry, to develop an all-weather landing system.

The development of a flight control guidance system with automatic capability to touchdown is one of the steps in the evolutionary process toward the ultimate goal of all-weather landings. Such systems have now been developed that function without any altitude loss. However, as previously stated, even if there was no altitude loss factor specified in the Airplane Flight Manual, § 121.579(b) requires the system to be disconnected no less than 50 feet above the terrain. Since airworthiness approval by the Agency is a prerequisite to using one of these systems, the Agency believes that once the airworthiness has been determined an operator can be allowed to use the system to touchdown without any adverse effect on safety. Before airworthiness approval of such a system is granted by the Agency, the manufacturer is required to show to the Administrator that the system meets rigid standards. These standards are such that, once met, the use of the system even without the arbitrary restrictions presently contained in § 121.579(b) will, in the opinion of the Agency, maintain a level of safety that is at least equal to that required by the present rule. Accordingly, once airworthiness approval has been obtained, the arbitrary restrictions presently contained in § 121.579(b) are no longer necessary.

In consideration of the foregoing, it is proposed to amend § 121.579(b) of Part 121 of the Federal Aviation Regulations by adding a flush sentence at the end of paragraph (b) to read as follows:

The Administrator may issue operations specifications prescribing appropriate requirements that deviate from the requirements of this section to permit use, to touchdown, of an approved flight control guidance system with automatic capability where that system as approved does not contain an altitude loss factor and where the Administrator finds that the deviation will not otherwise affect the general standards of safety required by this section.

This amendment is proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, and 1424).

Issued in Washington, D.C., on June 15, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-6489; Filed, June 21, 1965; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 21, 74, and 91]

[Docket No. 15971; RM Nos. 636, 672, 742, 755, and 766]

TELEVISION BROADCAST SIGNALS

Distribution by Community Antenna Television Systems

Order. The Commission, having under consideration a request by the National Association of Broadcasters (NAB) for an extension of time until July 12, 1965, for filing comments on Part I and Paragraph 50 of the notice of inquiry and notice of proposed rule making in the above-captioned proceeding;

It appearing, that such request is grounded on the circumstance that its Board of Directors is meeting during the week of June 22, 1965, to consider the NAB's position on the policy considerations involved in the rule making proposal in Paragraph 50, and that this meeting will coincide with the June 25th date on which initial comment is presently due;

It further appearing, that any extension granted in order to obtain the NAB's position on Part I and Paragraph 50 should be as short as possible in view of the 2 months already afforded for initial comment and the public interest in a prompt resolution of these matters;

Accordingly, the Commission, pursuant to section 5(d) of the Communications Act of 1934, as amended, and § 0.251 of the Commission's rules, *orders,* This 16th day of June 1965, that the times for filing comments and reply comments on Part I and Paragraph 50 of this proceeding are extended to July 9, 1965, and August 6, 1965, respectively.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6529; Filed, June 21, 1965; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 260, 269]

[Release No. 39-222]

STATEMENT OF ELIGIBILITY AND QUALIFICATION OF CORPORATE TRUSTEES; DELAYING AMENDMENTS

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed new Rule 7a-9 (17 CFR 260.7a-9), and certain proposed amendments to Form T-1 (listed and described at 17 CFR 269.1), under the Trust Indenture Act of 1939.

The proposed new Rule 7a-9 would provide for the filing with an application for the qualification of an indenture under the Act, or as an amendment to such an application which has not become effective, an amendment which would delay the effectiveness of the application until a further amendment superseding the delaying amendment is filed, or until the Commission accelerates the effective date upon request of the obligor. Applications for qualification of an indenture are required to be filed in those cases, not otherwise exempt, where the securities to be issued under the indenture are not required to be registered under the Securities Act of 1933. Rule 473 under the Securities Act (17 CFR 230.473) makes similar provision for the filing of delaying amendments to registration statements under that Act. The text of the proposed Rule 7a-9 follows:

§ 260.7a-9 Delaying amendments.

(a) An amendment in the following form filed with an application for qualification, or as an amendment to such an application which has not become effective, shall be deemed to be filed on such date or dates as may be necessary to delay the effective date of such application for the period specified in such amendment:

The obligor hereby amends this application for qualification on such date or dates as may be necessary to delay its effectiveness until (i) the 20th day after the filing of a further amendment which specifically states that it shall supersede this amendment, or (ii) such date as the Commission, acting pursuant to section 307(c) of the Act, may determine upon the written request of the obligor.

(b) An amendment pursuant to paragraph (a) which is filed with an application for qualification shall be set forth on the facing page thereof. Any such

amendment filed after the filing of the application may be made by letter or telegram and may be signed by the agent for service. Any amendment filed to supersede an amendment filed pursuant to paragraph (a) may also be made by letter or telegram. Every such telegraphic amendment shall be confirmed in writing within a reasonable time by filing a signed copy of the amendment. Such confirmation shall not be deemed an amendment.

Form T-1 under the Trust Indenture Act of 1939 is prescribed for statements of eligibility and qualification of corporations designated to act as trustees under indentures qualified under that Act. The purpose of the proposed amendments to the form is to clarify and simplify the form in certain respects. The principal amendments are briefly described below:

1. The General Instructions to the form would be placed at the beginning of the form instead of following the facing sheet. The purpose of this change is to give greater prominence to the instructions and to avoid interrupting the continuity of the form proper.

2. The facing sheet of the form would be amended to require, in addition to the information now required, the name of the State or other jurisdiction in which the obligor was incorporated or organized, its I.R.S. employer identification number and the address of its principal executive offices. The Commission's electronic data processing program requires the use of a single number for each issuer. The I.R.S. employer identification number, which is readily available, would provide a means whereby all filings made with respect to a particular issuer under one or more Act can be readily identified through the use of its equipment.

3. Item 1 calls for certain general information with respect to the trustee. This item would be amended to call for a statement as to whether the trustee is authorized to exercise corporate trust powers. This is one of the qualifications of corporate trustees required by the Act.

4. Item 3 of the existing form calls for the names, addresses and positions with the trustee of each director and executive officer of the trustee. This item would be deleted since the information, insofar as pertinent, is called for by new Item 5 which requires information with respect to interlocking directorates and similar relationships between the trustee, or any of its directors or executive officers, and the obligor or underwriter.

5. New Item 3 calls for certain information as to voting securities of the trustee. It is proposed to delete the requirement that the amount authorized be stated and that a brief outline of the voting rights be given, since this information does not appear to be essential in determining the eligibility and qualification of the trustee.

6. New Item 4 calls for certain information with respect to other indentures under which the trustee may be acting as trustee. The purpose of the item is to indicate whether any conflict of interest would arise by reason of the trustee acting as trustee under the indenture to be qualified and under such other indentures. The item would be amended to require a statement whether the securities to be issued under the indenture to be qualified would rank equally with the securities issued under such other indentures.

7. New Item 5 calls for information as to certain relationships between the trustee and the obligor or underwriters. It is proposed to delete two of the instructions to the item for the purpose of reducing the amount of detail required in answer to the item. It is also proposed to add a new instruction providing that where the chairman of the board of directors of the trustee acts as the trustee's principal executive officer he shall be so treated for the purpose of the item whether or not he is designated as executive officer.

8. New Item 8 calls for information with respect to securities of the obligor held by the trustee. Two tables are provided, one for voting securities and the other for other securities. It is proposed to combine the two tables into a single table in which information may be given as to the holdings of all classes of securities. The item would be further amended to provide that no information need be given with respect to any class of securities where the amount which the trustee owns beneficially or holds as collateral security for obligations in default does not exceed 1 percent of the outstanding securities of the class. Such amounts do not appear to be significant in relation to the eligibility and qualification of the trustee.

9. New Item 9 calls for information with respect to securities of underwriters owned or held by the trustee. Instruction 2 permitting the omission of amounts not in excess of 1 percent of the outstanding securities of the class would be deleted and Instruction 4 to Item 8 would be made applicable by reference.

10. New Item 10 calls for certain information as to the ownership or holdings by the trustee of voting securities of certain affiliates or security holders of the obligor. It is proposed to delete paragraph (b) of the item which requires a brief outline of the voting rights of each such class of securities, since this information does not appear to be essential to a determination of the eligibility and qualification of the trustee. The instruction to this item would be amended to make Instruction 4 to Item 8 applicable to this item also.

11. The existing Item 13, which calls for the trustee's latest report of condition published pursuant to the requirements of its State, Federal, or other regulatory authority, would be deleted and the report would be required as an exhibit to the statement of eligibility and qualification.

12. The listing of the contents of the statement of eligibility and qualification would be deleted and a new Item 12 would call for a list of the exhibits filed as a part of the statement. This change is in line with the provisions of the Commission's more recently adopted forms.

13. The signature clause of the form would be amended by deleting the requirement that the seal of the trustee be affixed and attested. This is in accord with the Commission's current practice.

A copy of Form T-1 as proposed to be amended is attached hereto.

The foregoing action is proposed pursuant to the Trust Indenture Act of 1939, particularly sections 307, 308, 309, 310, and 319 thereof.

All interested persons are invited to submit their views and comments on the proposed rule and amendments, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before July 9, 1965. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission, June 10, 1965.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

§ 269.1 Form T-1.

Form T-1 shall be used for statements of eligibility and qualification of corporations designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939.

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C., 20549

FORM T-1

FOR STATEMENTS OF ELIGIBILITY AND QUALIFICATION UNDER THE TRUST INDENTURE ACT OF 1939 OF CORPORATIONS DESIGNATED TO ACT AS TRUSTEES

General Instructions

A. *Rule as to the Use of Form T-1.*

Form T-1 shall be used for statements of eligibility and qualification of corporations designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939.

B. *Application of General Rules and Regulations.*

The General Rules and Regulations under the Trust Indenture Act of 1939 are applicable to statements of eligibility and qualification on this form. Attention is particularly directed to Rules 0-1 (17 CFR 260.0-1) and 0-2 (17 CFR 260.0-2) as to the meaning of terms used in the rules and regulations. Attention is also directed to Rule 5a-3 (17 CFR 260.5a-3) regarding the filing of statements of eligibility and qualification and to Rule 7a-16 (17 CFR 260.7a-16) regarding the inclusion of items, the differentiation between items and answers, and the omission of instructions.

C. *Calculation of Percentages of Securities.*

The percentages of securities required by this form are to be calculated in accordance with the provisions of Rule 10b-1 (17 CFR 260.10b-1).

D. *Scope of Items and Instructions.*

The items and instructions require information only as to the trustee, unless the context clearly shows otherwise.

E. *When an Obligation Is Deemed To Be in Default.*

An obligation shall be deemed to be in default when a default in payment of principal shall have continued for 30 days or more and shall not have been cured.

F. *Items Relating to Underwriters—Meaning of "Principal Underwriter."*

Wherever any item of the form requires information with respect to an underwriter for the obligor the information is to be given

as to every person who, within 3 years prior to the date of filing the statement of eligibility and qualification, acted as an underwriter of any security of the obligor outstanding on the date of filing the statement and as to every proposed principal underwriter of the securities proposed to be offered. The term "principal underwriter", as used in this instruction, means an underwriter in privity of contract with the issuer of the securities as to which he is an underwriter.

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C., 20549

FORM T-1

STATEMENT OF ELIGIBILITY AND QUALIFICATION UNDER THE TRUST INDENTURE ACT OF 1939 OF A CORPORATION DESIGNATED TO ACT AS TRUSTEE

(Exact name of trustee as specified in its charter)

(Address of trustee's principal executive offices)

(Exact name of obligor as specified in its charter)

(State or other jurisdiction of incorporation or organization)

(I.R.S. employer identification No.)

(Address of principal executive offices)

(Zip Code)

(Title of the indenture securities)

Item 1. General information.

Furnish the following information as to the trustee—

(a) State or other sovereign power under the laws of which organized.

(b) Name and address of each examining or supervising authority to which it is subject.

(c) Whether it is authorized to exercise corporate trust powers.

Item 2. Affiliations with obligor and underwriters.

If the obligor or any underwriter for the obligor is an affiliate of the trustee, describe each such affiliation.

Instructions. 1. The term "affiliate" is defined in Rule 0-2 (17 CFR 260.0-2) of the General Rules and Regulations under the Act. Attention is also directed to Rule 7a-26 (17 CFR 260.7a-26).

2. Include the name of each such affiliate and the names of all intermediary affiliates, if any. Indicate the respective percentage of voting securities or other bases of control giving rise to the affiliation.

Item 3. Voting securities of the trustee.

Furnish the following information as to each class of voting securities of the trustee:

As of ---------- (insert date within 31 days).

Col. A	Col. B
Title of class	*Amount outstanding*

Instruction. The term "voting security" is defined in section 303(16) of the Act.

Item 4. Trusteeships under other indentures.

If the trustee is a trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the obligor are outstanding, furnish the following information:

(a) Title of the securities outstanding under each such other indenture.

(b) A brief statement of the facts relied upon as a basis for the claim that no conflicting interest within the meaning of section 310(b)(1) of the Act arises as a result of the trusteeship under any such other indenture, including a statement whether the indenture securities will rank equally with the securities issued under such other indenture.

Item 5. Interlocking directorates and similar relationships with the obligor or underwriters.

If the trustee or any of the directors or executive officers of the trustee is a director, officer, partner, employee, appointee, or representative of the obligor or of any underwriter for the obligor, identify each such person having any such connection and state the nature of each such connection.

Instructions. 1. The term "underwriter" as used in this item does not refer to any person who is not currently engaged in the business of underwriting.

2. The terms "employee", "appointee", and "representative", as used in this item, do not include connections in the capacity of transfer agent, registrar, custodian, paying agent, fiscal agent, escrow agent, or depositary, or in any other similar capacity or connections in the capacity of trustee, whether under an indenture or otherwise.

3. The term "executive officer", as defined in section 303(6) of the Act, includes a chairman of the board of directors who performs the functions of an executive officer, whether or not he is designated as such.

Item 6. Voting securities of the trustee owned by the obligor or its officials.

Furnish the following information as to the voting securities of the trustee owned beneficially by the obligor and each director, partner, and executive officer of the obligor.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of owner	*Title of class*
Col. C	**Col. D**
Amount owned beneficially	*Percentage of voting securities represented by amount given in Col. C*

Instructions. 1. Names of persons who do not own beneficially any of the securities specified may be omitted.

2. No information need be given in any case where the amount of voting securities of the trustee, owned beneficially by the obligor and its directors, partners, and executive officers, taken as a group, does not exceed 1 percent of the outstanding voting securities of the trustee.

Item 7. Voting securities owned by underwriters or their officials.

Furnish the following information as to the voting securities of the trustee owned beneficially by each underwriter for the obligor and each director, partner, and executive officer of each such underwriter.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of owner	*Title of class*
Col. C	**Col. D**
Amount owned beneficially	*Percentage of voting securities represented by amount given in Col. C*

Instructions. Instruction 1 to Item 6 shall be applicable to this item.

2. The name of each director, partner, or executive officer required to be given in Column A shall be set forth under the name of the underwriter of which he is a director, partner, or executive officer.

3. No information need be given in any case where the amount of voting securities of the trustee owned beneficially by an underwriter and its directors, partners, and executive officer, taken as a group, does not exceed 1 percent of the outstanding voting securities of the trustee.

Item 8. Securities of the obligor owned or held by the trustee.

Furnish the following information as to securities of the obligor owned beneficially or held as collateral security for obligations in default by the trustee:

As of ---------- (insert date within 31 days).

Col. A	Col. B
Title of class	*Whether the securities are voting or nonvoting securities*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default	*Percent of class represented by amount given in Col. C*

Instructions. 1. As used in this item, the term "securities" includes only such securities as are generally known as corporate securities, but shall not include any note or other evidence of indebtedness issued to evidence an obligation to repay monies lent to a person by one or more banks, trust companies, or banking firms, or any certificate of interest or participation in any such note or evidence of indebtedness.

2. For the purposes of this item the trustee shall not be deemed the owner or holder of (a) any security which it holds as collateral security (as trustee or otherwise) for an obligation which is not in default, or (b) any security which it holds as collateral security under the indenture to be qualified, irrespecitve of any default thereunder, or (c) any security which it holds as agent for collection, or as custodian, escrow agent, or depositary, or in any similar representative capacity.

3. No information need be furnished under this item as to holdings by the trustee of securities already issued under the indenture to be qualified or securities issued under any other indenture under which the trustee is also trustee.

4. No information need be given with respect to any class of securities where the amount of securities of the class which the trustee owns beneficially or holds as collateral security for obligations in default does not exceed 1 percent of the outstanding securities of the class.

Item 9. Securities of underwriters owned or held by the trustee.

If the trustee owns beneficially or holds as collateral security for obligations in default any securities of an underwriter for the obligor, furnish the following information as to each class of securities of such underwriter any of which are so owned or held by the trustee.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default by trustee	*Percent of class represented by amount given in Col. C*

Instructions. Instructions 1, 2, and 4 to Item 8 shall be applicable to this item.

Item 10. Ownership or holding by the trustee of voting securities of certain affiliates or security holders of the obligor.

If the trustee owns beneficially or holds as collateral security for obligations in default

voting securities of a person who, to the knowledge of the trustee (1) owns 10 percent or more of the voting securities of the obligor or (2) is an affiliate, other than a subsidiary, of the obligor, furnish the following information as to the voting securities of such person.

As of _____ (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*

Col. C	Col. D
Amount owned beneficially or held as collateral security for obligations in default by trustee	*Percent of class represented by amount given in Col. C*

Instruction. Instructions 1, 2, and 4 to Item 8 shall be applicable to this item.

Item 11. Ownership or holdings by the trustee of any securities of a person owning 50 percent or more of the voting securities of the obligor.

If the trustee owns beneficially or holds as collateral security for obligations in default any securities of a person who, to the knowledge of the trustee, owns 50 percent or more of the voting securities of the obligor, furnish the following information as to each class of securities of such person any of which are so owned or held by the trustee.

As of _____ (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*

Col. C	Col. D
Amount owned beneficially or held as collateral security for obligations in default by trustee	*Percent of class represented by amount given in Col. C*

Instruction. Instructions 1, 2, and 4 to Item 8 shall be applicable to this item.

Item 12. List of exhibits.

List below all exhibits filed as a part of this statement of eligibility and qualification.

SIGNATURE

Pursuant to the requirements of the Trust Indenture Act of 1939 the trustee, _____, a corporation organized and existing under the laws of _____, has duly caused this statement of eligibility and qualification to be signed on its behalf by the undersigned, thereunder duly authorized, all in the city of _____, and State of _____, on the _____ day of _____, 19__.

_____
(Trustee)

By _____
(Name and title)

Instruction as to signature. The name of each person signing the statement of eligibility and qualification shall be typed or printed beneath the signature.

INSTRUCTIONS AS TO EXHIBITS

Subject to Rule 7a–29 (17 CFR 260.7a–29) permitting incorporation of exhibits by reference, the following exhibits are to be filed as a part of the statement of eligibility and qualification of the trustee:

Exhibit TIA. (a) A copy of the articles of association of the trustee as now in effect.

(b) A copy of the certificate of authority of the trustee to commence business, if not contained in the articles of association.

(c) A copy of the authorization of the trustee to exercise corporate trust powers, if such authorization is not contained in the documents specified in paragraph (a) or (b) above.

Exhibit TIB. A copy of the existing bylaws of the trustee, or instruments corresponding thereto.

Exhibit TIC. A copy of each indenture referred to in Item 5.

Exhibit TID. The consents of the trustee required by section 321(b) of the Act.

Exhibit TIE. A copy of the latest report of condition of the trustee published pursuant to law or the requirements of its supervising or examining authority.

(Secs. 307, 308, 309, 310, and 319, 53 Stat. 1156, 1157, and 1173; 15 U.S.C. 77ggg, 77hhh, 77iii, 77jjj, and 77sss)

[F.R. Doc. 65–6513; Filed, June 21, 1965; 8:47 a.m.]

[17 CFR Part 269]

[Release No. 39–223]

STATEMENTS OF ELIGIBILITY AND QUALIFICATION OF INDIVIDUAL TRUSTEES

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration certain proposed amendments to Form T–2 (listed and described at 17 CFR 269.2) under the Trust Indenture Act of 1939.

Form T–2 is prescribed for statements of eligibility and qualification of individuals designated to act as trustees under indentures qualified under the above-mentioned Act. The purpose of the proposed amendments to the form is to clarify and simplify the form in certain respects. The principal amendments are briefly described below.

1. The facing sheet of the form would be amended to require, in addition to the information now required, the Social Security number of the trustee. The Commission's electronic data processing program requires the use of a single number for each person filing material with it. The Social Security number, which is readily available, would provide a means whereby all filings made with respect to a particular person under one or more Acts can be readily identified through the use of its equipment.

2. Item 2 calls for certain information with respect to other indentures under which the trustee may be acting as trustee. The purpose of the item is to indicate whether any conflict of interest would arise by reason of the trustee acting as trustee under the indenture to be qualified and under such other indentures. The item would be amended to require a statement whether the securities to be issued under the indenture to be qualified would rank equally with the securities issued under such other indentures.

3. Item 3 calls for information as to certain relationships between the trustee and the obligor or underwriters. It is proposed to delete two of the instructions to the item for the purpose of reducing the amount of detail required in answer to the item.

4. Item 4 calls for information with respect to securities of the obligor held by the trustee. Two tables are provided, one for voting securities and the other for other securities. It is proposed to combine the two tables into a single table in which information may be given as to the holdings of all classes of securities.

5. Item 4 would be further amended to provide that no information need be given with respect to any class of securities where the amount which the trustee owns beneficially or holds as collateral security for obligations in default does not exceed 1 percent of the outstanding securities of the class. Such amounts are not significant in relation to the eligibility and qualification of the trustee.

6. Item 5 calls for information with respect to securities of underwriters owned or held by the trustee. The new Instruction 4 to Item 4 would be made applicable to this item.

7. Item 6 calls for certain information as to the ownership or holdings by the trustee of voting securities of certain affiliates or security holders of the obligor. It is proposed to delete paragraph (b) of the item which requires a brief outline of the voting rights of each such class of securities, since this information does not appear to be essential to a determination of the eligibility and qualification of the trustee. The instruction to this item would be amended to make Instruction 4 to Item 4 applicable to this item also.

8. Item 7 calls for information as to the ownership or holdings by the trustee of securities of a person owning 50 percent or more of the voting securities of the obligor. Instruction 4 to Item 4 would be made applicable to this item.

9. The listing of the contents of the statement of eligibility and qualification would be deleted and a new Item 8 would call for a list of the exhibits filed as a part of the statement. This change is in line with the provisions of the Commission's more recently adopted form.

10. The signature clause of the form would be amended by deleting the requirement of an attesting signature in view of the fact that no seal is required to be affixed.

A copy of Form T–2 as proposed to be amended is attached hereto.

The foregoing action is proposed pursuant to the Trust Indenture Act of 1939, particularly sections 307, 308, 309, 310 and 319 thereof.

All interested persons are invited to submit their views and comments on the proposed amendments, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before July 9, 1965. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission, June 10, 1965.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

§ 269.2 Form T–2.

Form T–2 shall be used for statements of eligibility and qualification of individuals designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939.

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM T-2*

FOR STATEMENTS OF ELIGIBILITY AND QUALIFICATION UNDER THE TRUST INDENTURE ACT OF 1939 OF INDIVIDUALS DESIGNATED TO ACT AS TRUSTEES

(Name of Trustee)

(Social Security Number)

(Business address: street, city, state, and zip code)

(Name of obligor)

(Title of indenture securities)

Item 1. Affiliations with obligor and underwriters.

If the obligor or any underwriter for the obligor is an affiliate of the trustee, describe each such affiliation.

Instructions. 1. The term "affiliate" is defined in Rule 0-2 (17 CFR 260.0-2) of the General Rules and Regulations under the Act. It should be noted that a corporation or other business entity may be an affiliate of an individual within the meaning of the definition. Attention is also directed to Rule 7a-26 (17 CFR 260.7a-26).

2. Include the name of each such affiliate and the names of all intermediary affiliates, if any. Indicate the respective percentage of voting securities or other bases of control giving rise to the affiliation.

Item 2. Trusteeships under other indentures.

If the trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the obligor are outstanding, file a copy of each such indenture as an exhibit and furnish the following information:

(a) Title of such other securities.

(b) A brief statement of the facts relied upon by the trustee as a basis for the claim that no conflicting interest within the meaning of section 310(b)(1) of the Act arises as a result of the trusteeship under such other indenture, including a statement whether the indenture securities will rank equally with the securities issued under such other indenture.

Instruction. Attention is directed to Rule 7a-29 (17 CFR 260.7a-29) permitting incorporation of exhibits by reference.

Item 3. Certain relationships between the trustee and the obligor or an underwriter.

If the trustee is a director, officer, partner, employee, appointee, or representative of the obligor or of any underwriter for the obligor, state the nature of each such connection.

Instructions. 1. The term "underwriter" as used in this item does not refer to any person who is not currently engaged in the business of underwriting.

2. The terms "employee", "appointee", and "representative", as used in this item, do not include connections in the capacity of transfer agent, registrar, custodian, paying agent, fiscal agent, escrow agent, or depositary or in other similar capacity or connections in the capacity of trustee, whether under an indenture or otherwise.

Item 4. Securities of the obligor owned or held by the trustee.

Furnish the following information as to securities of the obligor owned beneficially by the trustee or held by the trustee as collateral security for obligations in default:

As of ---------- (insert date within 31 days).

Col. A	Col. B
Title of class	*Whether the securities are voting or nonvoting securities*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default	*Percent of class represented by amount given in Col. C*

Instructions. 1. As used in this item, the term "securities" includes only such securities as are generally known as corporate securities, but shall not include any note or other evidence of indebtedness issued to evidence an obligation to repay monies lent to a person by one or more banks, trust companies, or banking firms, or any certificate of interest or participation in any such note or evidence of indebtedness.

2. For the purposes of this item the trustee shall not be deemed the owner or holder of (a) any security which it holds as collateral security (as trustee or otherwise) for an obligation which is not in default, or (b) any security which it holds as collateral security under the indenture to be qualified, irrespective of any default thereunder, or (c) any security which it holds as agent for collection, or as custodian, escrow agent, or depositary, or in any similar representative capacity.

3. No information need be furnished under this item as to holdings by the trustee of securities already issued under the indenture to be qualified or securities issued under any other indenture under which the trustee is also trustee.

4. No information need be given with respect to any class of securities where the amount of securities of the class which the trustee owns beneficially or holds as collateral security for obligations in default does not exceed 1 percent of the outstanding securities of the class.

Item 5. Securities of underwriters owned or held by the trustee.

If the trustee owns beneficially or holds as collateral security for obligations in default any securities of an underwriter for the obligor, furnish the following information as to each class of securities of such underwriter any of which are so owned or held by the trustee.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default	*Percent of class represented by amount given in Col. C*

Instruction. Instructions 1, 2, and 4 to Item 4 shall be applicable to this item.

Item 6. Holdings by the trustee of voting securities of certain affiliates or principal holders of voting securities of the obligor.

If the trustee owns beneficially or holds as collateral security for obligations in default voting securities of a person who, to the knowledge of the trustee (1) owns 10 percent or more of the voting securities of the obligor or (2) is an affiliate, other than a subsidiary, of the obligor, furnish the following information as to the voting securities of such person.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default	*Percentage of voting securities represented by amount given in Col. C*

Instruction. Instructions 1, 2, and 4 to Item 4 shall be applicable to this item.

Item 7. Holdings by the trustee of any securities of a person owning 50 percent or more of the voting securities of the obligor.

If the trustee owns beneficially or holds as collateral security for obligations in default any securities of a person who, to the knowledge of the trustee, owns 50 percent or more of the voting securities of the obligor, furnish the following information as to each class of securities of such person any of which are so owned or held by the trustee.

As of ---------- (insert date within 31 days).

Col. A	Col. B
Name of issuer and title of class	*Amount outstanding*
Col. C	**Col. D**
Amount owned beneficially or held as collateral security for obligations in default	*Percent of class represented by amount given in Col. C*

Instruction. Instructions 1, 2, and 4 to Item 4 shall be applicable to this item.

Item 8. List of exhibits.

List below all exhibits filed as a part of this statement of eligibility and qualification.

SIGNATURE

Pursuant to the requirements of the Trust Indenture Act of 1939, I, ----------, have signed this statement of eligibility and qualification in the city of ---------- and State of ----------, on the ------ day of ------, 19--.

(Signature of trustee)

GENERAL INSTRUCTIONS

A. *Rule as to Use of Form T-2.*

Form T-2 shall be used for statements of eligibility and qualification of individuals designated to act as trustees under trust indentures to be qualified pursuant to section 305 or 307 of the Trust Indenture Act of 1939.

B. *Application of General Rules and Regulations.*

The General Rules and Regulations under the Trust Indenture Act of 1939 are applicable to statements of eligibility and qualification on this form. Attention is particularly directed to Rules 0-1 (17 CFR 260.0-1) and 0-2 (17 CFR 260.0-2) as to the meaning of terms used in the rules and regulations. Attention is also directed to Rule 5a-3 (17 CFR 260.5a-3) regarding the filing of statements of eligibility and qualification and to Rule 7a-16 (17 CFR 260.7a-16) regarding the inclusion of items, the differentiation between items and answers, and the omission of instructions.

C. *Calculation of Percentages of Securities.*

The percentages of securities required by this form are to be calculated in accordance

*For the rule as to the use of this form, see Instruction A of the General Insructions at the end of the form.

with the provisions of Rule 10b–1 (17 CFR 260.10b–1).

D. *Scope of Items and Instructions.*

The items and instructions require information only as to the trustee, unless the context clearly shows otherwise.

E. *When an Obligation Is Deemed To Be in Default.*

An obligation shall be deemed to be in default when a default in payment of principal shall have continued for 30 days or more and shall not have been cured.

F. *Items Relating to Underwriters—Meaning of "Principal Underwriter".*

Wherever any item of the form requires information with respect to an underwriter for the obligor the information is to be given as to every person who, within 3 years prior to the date of filing the statement of eligibility and qualification, acted as an underwriter of any security of the obligor outstanding on the date of filing the statement and as to every proposed principal underwriter of the securities proposed to be offered. The term "principal underwriter," as used in this instruction, means an underwriter in privity of contract with the issuer of the securities as to which he is an underwriter.

(Secs. 307, 308, 309, 310, and 319, 53 Stat. 1156, 1157, and 1173; 15 U.S.C. 77ggg, 77hhh, 77iii, 77jjj, and 77sss)

[F.R. Doc. 65–6514; Filed, June 21, 1965; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 65-29]

JAMES RIVER

Closure to Navigation During Sea Trials of Enterprise

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521) and Executive Order 10173, as amended by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of O. C. Rohnke, Rear Admiral, United States Coast Guard, Commander, Fifth Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

SPECIAL NOTICE JAMES RIVER

Under the authority of Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended and Executive Order 10173, as amended, I declare that the following area is a prohibited area on:

Tuesday, 22 June 1965
Wednesday, 23 June 1965
Thursday, 24 June 1965

during sea trials of "Enterprise" (CVA(N)65).

The waters of the James River, Norfolk-Newport News Harbor, Virginia within the coordinates of Latitude 36 degrees 59 minutes 10 seconds North, Longitude 76 degrees 26 minutes 31 seconds West; thence westerly to Latitude 36 degrees 58 minutes 43 seconds North, Longitude 76 degrees 27 minutes 32 seconds West; thence southeasterly to Latitude 36 degrees 58 minutes 10 seconds North, Longitude 76 degrees 26 minutes 59 seconds West; thence northeasterly to Latitude 36 degrees 58 minutes 29 seconds North, Longitude 76 degrees 26 minutes 14 seconds West.

Upstream and downstream limits of this prohibited area will be marked by two special purpose buoys, painted with orange and white horizontal bands.

No vessel may anchor in this prohibited area on any of the three dates.

No person or vessel may remain in or enter this prohibited area while "Enterprise" is underway or anchored in the prohibited area.

The Captain of the Port may be assisted by employees and facilities of any state or political subdivision thereof or any Federal Agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercises of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than $10,000 or imprisoned not more than two years, or both.

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000."

Dated: June 18, 1965.

G. A. KNUDSEN,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 65-6605; Filed, June 21, 1965; 8:48 a.m.]

Office of Foreign Assets Control

IMPORTATION OF CHINESE-STYLE GARMENTS

Available Certifications by Government of Hong Kong

Notice is hereby given that certificates of origin issued by the Department of Commerce and Industry of the Government of Hong Kong under procedures agreed upon between that Government and the Foreign Assets Control are available with respect to the importation into the United States directly, or on a through bill of lading, from Hong Kong of the following additional commodity:

Chinese-style garments, regardless of material from which made and whether or not containing any brocade, embroidery or lace.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 65-6459; Filed, June 21, 1965; 8:45 a.m.]

Office of the Secretary

[Antidumping—AA 643.3-H]

HARDBOARD FROM SOUTH AFRICA

Notice of Tentative Determination

JUNE 15, 1965.

Information was received on November 3, 1964, that hardboard imported from South Africa was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

I hereby make a tentative determination that hardboard imported from South Africa is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. It was ascertained that only two sizes of standard grade hardboard (⅛ inch and 3/16 inch) and a substandard product known as semi-hard underlayment board were regularly imported from South Africa during the period under consideration.

There is no statutory relationship within the meaning of section 207 of the Antidumping Act between the manufacturer and any United States importers. Sales of standard grade hardboard in the home market were negligible in comparison with sales for export to countries other than the United States. Sales of semi-hard underlayment board were confined to the United States. There was no evidence to indicate sales of similar underlayment board either for home consumption or to third countries. Consequently, comparisons were made between purchase price and the net adjusted price to third countries, or constructed value, as applicable.

Purchase price was computed on the basis of the C&F prices from which were deducted inland freight, forwarding, and wharfage charges, and ocean freight.

Adjustments taken into consideration in arriving at the adjusted net price of standard ⅛ inch and 3/16 inch hardboard to third countries comprised sales commissions, the cost to the manufacturer of a quality warranty to the users of this merchandise, and the cost of extending credit to purchasers in third countries. None of these items apply in sales to United States purchasers.

Constructed value of underlayment board was computed on the basis of cost of materials, labor, and fabrication, plus the statutory minima for general expenses and profit.

In all instances, appropriate adjustments were made for packing cost differentials.

Purchase price was found not to be lower than adjusted third country price or constructed value as applicable. The manufacturer has given assurances that its continuing policy will be to avoid sales at prices below fair value within the meaning of the Antidumping Act.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C., 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs regulations (19 CFR 14.8(a)).

[SEAL] JAMES A. REED,
Assistant Secretary
of the Treasury.

[F.R. Doc. 65-6509; Filed, June 21, 1965; 8:47 a.m.]

[Antidumping—AA 643.3–B]

HEADBOARDS FROM YUGOSLAVIA

Notice of Tentative Determination

JUNE 15, 1965.

Information was received on September 28, 1964, that headboards, manufactured of wood, imported from Yugoslavia, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

I hereby make a tentative determination that headboards, manufactured of wood, imported from Yugoslavia are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. Sales to the United States customers were outright transactions involving none of the relationships outlined in section 207 of the Antidumping Act. The headboards are made exclusively for the United States market. Neither such nor similar headboards are sold in the home market or to third countries; therefore, purchase price was compared with constructed value for fair value purposes. It was also determined that neither such nor similar headboards are imported from other countries.

The constructed value computation, accordingly, was confined to the costs, general expenses, and profits pertaining to the headboards imported from Yugoslavia. In past cases involving other merchandise from Yugoslavia, such data was found to be consistent with that pertaining to imports from other countries. In the absence of controverting information, the substantiating material furnished in the instant case is deemed controlling.

Purchase price was calculated by deducting the transportation costs from the delivered prices for this merchandise with an adjustment made for export commission.

The data used in calculating constructed value, except for profit, was furnished by the seller. The profit figure was adjusted to accord with the actual return based on the net purchase price computed ex-factory, exclusive of commission. The profit represents that of the industry as a whole with respect to merchandise of the same general class or kind and meets the minimum required by the statute. The general expenses also meet the minimum statutory requirements. Purchase price was not lower than constructed value.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C., 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs regulations (19 CFR 14.8(a)).

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 65–6510; Filed, June 21, 1965; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

MORDKA MOJSIEWICZ

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property, and Location

Mordka Mojsiewicz, Avenue Paul Vaillant Couturier 87, La Courneuve near Paris, France; Claim No. 66788; Vesting Order Nos. 17889 and 18118; $1,014.82 in the Treasury of the United States.

For the Attorney General.

Executed at Washington, D.C., on June 15, 1965.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director, Office of Alien Property.

[F.R. Doc. 65–6475; Filed, June 21, 1965; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 034206]

ARIZONA

Order Providing for Opening of Public Lands

JUNE 15, 1965.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN, ARIZ.

T. 40 N., R. 16 W.,
Sec. 16, S½.

The area described aggregates 320.00 acres.

2. The lands are located in Mohave County, approximately 6 miles west-southwest of Littlefield. Topography is roughly rolling and cut by washes. Soils are sandy loam to silt loam. Vegetation consists of creosote brush, white burr sage, Joshua trees, and other miscellaneous vegetation.

3. No application for these lands will be allowed under the homestead, desert land, or any other nonmineral public land law unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any petition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Inquiries concerning these lands shall be addressed to: U.S. Bureau of Land Management, Arizona Land Office, 3022 Federal Building, Phoenix, Ariz., 85025.

FRED J. WEILER,
State Director.

[F.R. Doc. 65–6499; Filed, June 21, 1965; 8:46 a.m.]

Office of the Secretary

ALVIN C. HOPE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of June 1, 1965.

Dated: June 14, 1965.

ALVIN C. HOPE.

[F.R. Doc. 65–6504; Filed, June 21, 1965; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

GREAT PLAINS CONSERVATION PROGRAM

Mitchell County, Kans.

Designation of counties within the Great Plains area of the 10 Great Plains States where the Great Plains Conservation Program is specifically applicable.

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115, 16 U.S.C. 590p(b)), as amended, the following county in the following State is designated as susceptible to serious wind erosion by reason of its soil types, terrain, and climatic and other factors.

KANSAS

Mitchell.

Done at Washington, D.C., this 17th day of June 1965.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 65-6527; Filed, June 21, 1965; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-227]

GENERAL DYNAMICS CORP.

Notice of Issuance of Construction Permit

Please take notice, that, no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Construction Permit No. CPRR-89 authorizing construction of a Thermionic Research TRIGA nuclear reactor on the corporation's laboratory site at Torrey Pines Mesa, Calif.

The permit, as issued, was substantially as set forth in the notice of proposed issuance of construction permit published in the FEDERAL REGISTER, May 27, 1965, 30 F.R. 7120, except that the latest completion date specified in the permit has been extended to February 1, 1966, from October 15, 1965, pursuant to a request by the applicant dated May 28, 1965, and the findings set forth in the notice have been incorporated in the construction permit.

Dated at Bethesda, Md., this 14th day of June 1965.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-6519; Filed, June 21, 1965; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 65-538]

STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

JUNE 17, 1965.

Notice is hereby given, pursuant to the Commission's action of May 19, 1965, that the following application will be ready and available for processing July 26, 1965.

BP-7260 KIEV, Glendale, Calif., Southern California Broadcasting Co., Has: 870 kc, 250 w, Day, Req: 870 kc, 5 kw, Day.

The attention of any party in interest desiring to file a pleading against this application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission rules for provisions governing the time of filing and other requirements related to such pleadings.

Adopted: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6531; Filed, June 21, 1965; 8:48 a.m.]

[Docket Nos. 15856, 15857; FCC 65M-790]

CHAPMAN RADIO AND TELEVISION CO. AND ANNISTON BROADCASTING CO.

Order Continuing Hearing

In re applications of William A. Chapman and George K. Chapman doing business as Chapman Radio and Television Co., Anniston, Ala., Docket No. 15856, File No. BPCT-3317; Anniston Broadcasting Co., Anniston, Ala., Docket No. 15857, File No. BPCT-3320; for construction permit for new television broadcast station (Channel 70).

On the unopposed oral request of counsel for applicants, because of the pendency of a pleading which may obviate a hearing: *It is ordered*, This 16th day of June 1965, that the hearing is further rescheduled from June 22 to July 29, 1965, subject to action on that pleading.

Released: June 17, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6532; Filed, June 21, 1965; 8:48 a.m.]

CHARLOTTESVILLE BROADCASTING CORP. (WINA) AND WBXM BROADCASTING CO., INC.

Order Continuing Prehearing Conference

In re applications of Charlottesville Broadcasting Corp. (WINA), Charlottesville, Va., Docket No. 15861, File No. BP-15768; WBXM Broadcasting Co., Inc., Springfield, Va., Docket No. 15862, File No. BP-15808; for construction permits.

The Hearing Examiner having under consideration a "Petition For Extension Of Time" filed June 14, 1965, by WGAY, Inc., in the above-entitled matter, said petition requesting that oppositions to a joint petition of applicants for leave to amend may be filed June 28, 1965, instead of June 17, 1965, and

It appearing, that the instant petitioner has the consent of the applicants and the Broadcast Bureau for such extension and for immediate consideration, and

It further appearing, that good cause has been shown for granting the petition and also that a postponement of the hearing is a necessary consequent of an overall appraisal of the case it it now stands;

[1] Commissioner Cox absent.

It is ordered, This 15th day of June 1965, that the aforesaid petition of WGAY, Inc., is granted and that, accordingly, the date for filing oppositions to the applicants' joint petition for leave to amend is changed from June 17, 1965, to June 28, 1965; and

It is further ordered, That the further prehearing conference now scheduled for June 25, 1965, is postponed to a date to be hereafter announced in a subsequent order of the Hearing Examiner.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6533; Filed, June 21, 1965; 8:48 a.m.]

[Docket Nos. 16020, 16022; FCC 65M-777]

FIDELITY RADIO, INC., ET AL.

Order Continuing Prehearing Conference

In re applications of Fidelity Radio, Inc., Louisville, Ky., Docket No. 16020, File No. BPH-3981; Producers, Inc., Louisville, Ky., Docket No. 16021, File No. BPH-4396; WHAS, Inc., Louisville, Ky., Docket No. 16022, File No. BPH-4630; for construction permits.

It is ordered, This 15th day of June 1965, that, by reason of illness of the presiding Hearing Examiner in the above-entitled proceeding, the prehearing conference presently scheduled for June 17, 1965, at 9 a.m., by agreement of counsel is hereby continued to June 29, 1965, at 10 a.m., in the Offices of the Commission, Washington, D.C.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6534; Filed, June 21, 1965; 8:48 a.m.]

[Docket Nos. 15975, 15976; FCC 65M-774]

REGIONAL BROADCASTING CORP. AND EVERGREEN ENTERPRISES, INC.

Order Continuing Hearing

In re applications of Regional Broadcasting Corp., Loveland, Colo., Docket No. 15975, File No. BPH-4708; Evergreen Enterprises, Inc., Loveland, Colo., Docket No. 15976, File No. BPH-4779; for construction permits.

The Hearing Examiner having under consideration the desirability of changing the date for commencement of hearing;

It appearing, that a prehearing conference was held on June 11, 1965, at which there was discussion of dates for various procedural steps preliminary to hearing and it was determined that the hearing itself could best be expedited by changing the present date:

It is ordered, This 14th day of June 1965, that the date for commencement of

hearing is continued from June 28 to September 21, 1965.

Released: June 15, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6535; Filed, June 21, 1965; 8:48 a.m.]

[Docket No. 14760; FCC 65M-776]

TRIPLE C BROADCASTING CORP. (WLOR)

Order Regarding Procedural Dates

In re application of Triple C Broadcasting Corp. (WLOR), Thomasville, Ga., Docket No. 14760, File No. BP-14988; for construction permit.

As a result of agreements reached upon the record of a prehearing conference held this date in the above-entitled matter: *It is ordered*, This 15th day of June 1965:

1. Exhibits shall be exchanged on or before July 9, 1965;

2. Notification of witnesses shall occur on or before July 15, 1965; and

3. The hearing is scheduled to commence at 10 a.m., July 19, 1965, in the Commission's offices, Washington, D.C.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6536; Filed, June 21, 1965; 8:48 a.m.]

[Docket Nos. 16025, 16026; FCC 65M-783]

WEBSTER COUNTY BROADCASTING CO. AND HOLMES COUNTY BROADCASTING CO. (WXTN)

Order Continuing Prehearing Conference

In re applications of William E. Hardy and James E. Myers doing business as Webster County Broadcasting Co., Eupora, Miss., Docket No. 16025, File No. BP-16372; Marvin L. Mathis, Robin H. Mathis, Ralph C. Mathis & John B. Skelton, Jr., doing business as Holmes County Broadcasting Co. (WXTN), Lexington, Miss., Docket No. 16026, File No. BP-16601; for construction permits.

The Hearing Examiner having under consideration a letter request dated June 15, 1965, from counsel for William E. Hardy and James E. Myers doing business as Webster County Broadcasting Co., requesting that the prehearing conference be continued to June 28, 1965, at 10 a.m.;

It appearing, that good cause has been shown for a grant of the request and that the other parties to the proceeding have no objection to a grant thereof:

It is ordered, This 16th day of June 1965, that the above-mentioned request, be, and the same is, hereby granted, and that the prehearing conference presently scheduled for June 17, 1965, at 9 a.m., be, and the same is, hereby continued to June 28, 1965, at 10 a.m., in Room 6505, New Post Office Building, Washington, D.C.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6537; Filed, June 21, 1965; 8:48 a.m.]

[Docket No. 16058; FCC 65-523]

COMMUNICATIONS SATELLITE CORP.

Notice of Inquiry Regarding Telecommunications Services

In the matter of authorized entities and authorized users under the Communications Satellite Act of 1962; Docket No. 16058.

1. The Commission has received requests from several concerns, including press association, a newspaper, a television network, and an airline company, for information regarding procedures by which such concerns might be authorized to obtain directly from the Communications Satellite Corp. telecommunications services via the commercial communication satellite system. Also, on May 28, 1965, the Corporation filed with the Commission its initial tariff, effective June 27, 1965, offering channels of communication only to communications common carriers. In its letter transmitting the tariff, the Corporation stated that in the event that it may be determined that any other entity, foreign or domestic, is authorized to obtain channels directly from the Corporation, it would expect to supplement its tariff in order to provide such channels.

2. The foregoing present issues concerning the extent to which, as a matter of law, entities in the United States other than communications common carriers, can be authorized under the Communications Satellite Act of 1962, to obtain telecommunication services directly from the Communications Satellite Corp.; the extent to which, as a matter of policy, such entities should be authorized to obtain services directly from the Corporation; the nature of the services that may be furnished and the type of entities which may be deemed eligible to obtain such services; the nature and extent of the authorization required in order for such entities to obtain such service from the Corporation; and the policies and procedures which the Commission should establish to govern applications for such authorization.

3. The provisions of the Satellite Act make clear that it was the intent of Congress that the Corporation would have, as its principal domestic operating function, the furnishing for hire of channels of communication to communications common carriers authorized by the Commission, pursuant to the Communications Act of 1934, as amended, to provide services by means of communications satellites (sections 103(7) and 305(a)(2) of the Satellite Act). While the Satellite Act leaves open the question of whether the Corporation may be permitted to furnish satellite service or channels directly to users other than communications common carriers, it would appear, from an overall reading of the legislative history that any such activity which might be authorized should be a limited one and should be consistent with the Corporation's primary role as a "common carrier's carrier." The provisions of the Satellite Act are not explicit with respect to the circumstances and conditions pursuant to which persons or entities other than common carriers may be authorized to obtain service directly from the Corporation, nor does the Satellite Act specify who, with the exception of the U.S. Government, these other persons or entities may be, or the services which they may be authorized to obtain. Section 305 of the Act, upon which the aforementioned requests are predicated, defines the powers and purposes of the Corporation. In paragraph (a)(2) thereof it is provided that the Corporation is authorized to—

> furnish, for hire, channels of communication to United States communications common carriers and to other authorized entities, foreign and domestic;

Paragraph (b)(4) provides that "for the accomplishment" of the above purpose the Corporation may, among other things:

> * * * contract with authorized users, including the United States Government, for the services of the communications satellite system * * *[1]

4. Neither the term "authorized entities", as used in section 305(a)(2), nor the term "authorized users", as used in section 305(b)(4), are specifically defined anywhere in the Act. Nor is there any provision in the Act which specifically indicates the procedures, standards or criteria which are to govern the authorization of any such entity or user, although the Commission is empowered by section 201(c)(11) of the Act to "make rules and regulations to carry out the provisions of this Act."

5. The extent to which the Corporation may engage in furnishing channels of communication or the services of the communications satellite system directly to users in the United States can, of course, have significant and far-reaching effects upon the structure, economics, and operations of the commercial telecommunications system of the United States. The Commission thus attaches the utmost importance to the interpretation and application that should properly be given to the above provisions of the Act in connection with the disposition of requests by entities seeking authorization to obtain services directly from the Corporation and in establishing policies to govern our actions in this area.

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[1] The term "communications satellite system" as used in the Act has reference to "a system of communications satellites in space" together with associated control and command equipment, and does not include satellite terminal stations (sections 103 (1) and (2)).

6. Accordingly, the Commission is issuing this notice of inquiry in order to obtain the views and comments of interested persons concerning the following specific questions in light of the pertinent provisions of the Communications Satellite Act and its legislative history:

(a) The extent to which, as a matter of law, persons, and entities in the United States, other than communications common carriers, can be authorized to obtain telecommunications channels or services directly from the Corporation (parties submitting comments on this question should do so in separate legal briefs);

(b) The extent to which, as a matter of policy, such persons or entities should be authorized to obtain channels or services directly from the Corporation;

(c) The nature and scope of services that can and should be furnished and the types of persons or entities who can and should be deemed eligible to obtain such services;

(d) The nature and extent of the authorization required in order for any such person or entity to obtain channels or services directly from the Corporation;

(e) The policies and procedures which the Commission should establish to govern the issuance of any such authorizations and the showing to be made in support thereof, with due regard for the operational, economic, and other public interest considerations involved.

7. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments with supporting briefs on or before October 1, 1965, and reply comments on or before November 1, 1965. In accordance with the provisions of § 1.51 of the Commission's rules, an original and 19 copies of all statements, briefs, or comments shall be furnished this Commission.

Adopted: June 16, 1965.

Released: June 16, 1965.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-6530; Filed, June 21, 1965; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP64-211 etc.]

EL PASO NATURAL GAS CO. ET AL.

Order Consolidating Proceedings, Granting Intervention and Denying Motion To Rescind Temporary Certificate and To Dismiss Application

JUNE 14, 1965.

Regarding El Paso Natural Gas Co., Docket Nos. CP64-211, CP62-176; Socony Mobil Oil Co., Docket No. CI62-825; Phillips Petroleum Co., Docket No. CI64-719; The Pure Oil Co., Docket No. CI64-1085; The Atlantic Refining Co., Docket No. CI64-1130; Gulf Oil Corp., Docket No. CI64-1153; Skelly Oil Co., Docket No. CI64-1225; Midwest Oil Corp., Docket CI64-1429; Dalco Oil Co., Docket No. CI64-1442; W. Watson LaForce, Docket No. CI65-61; George T. Abell, Docket No. CI65-878; M. B. Rudman, et al., Docket No. CI65-930.

By notices of March 2, and April 27, 1965, the matters presented by the above-designated docketed applications were consolidated for a May 11, 1965, hearing. That hearing was subsequently postponed until further notice.

The notices of March 2, and April 27, consolidated the application of El Paso Natural Gas Co. (El Paso) filed in Docket No. CP64-211, with those of the above-captioned independent producers. Dates of March 30, and May 25, 1965, were prescribed for petitions to intervene.[1]

A petition for leave to intervene in these consolidated proceedings and in each individual docket with the exception of Docket Nos. CI65-878 and CI65-930 was filed March 29, 1965, by San Diego Gas and Electric Co.

A petition for leave to intervene in these consolidated proceedings and in each individual docket with the exception of Docket No. CI65-878 was filed by Pacific Gas and Electric Co., on March 29, 1965.

A petition for leave to intervene and a notice of intervention in these consolidated proceedings and in every individual docket were filed, respectively, by Southern California Gas Co. and Southern Counties Gas Co. of California, jointly, and by the people of the State of California and the Public Utilities Commission of the State of California.

A petition to intervene in these consolidated proceedings and in only the application in Docket No. CP64-211 was filed by Gulf Pacific Pipeline Co. (Gulf Pacific). Phillips Petroleum Co., on April 13, Gulf Oil Co., on April 16, Dalco Oil Co., on April 19, Pure Oil Co., on April 20, and Skelly Oil Co., on April 23, 1965, filed answers in opposition to intervention in these proceedings by Gulf Pacific.

Gulf Pacific is an applicant competitive with El Paso in the comparative proceedings in Transwestern Pipeline Co., et al., Docket No. CP63-204, et al. Gulf Pacific contends that the facilities for which permanent certification is sought by El Paso in the present proceedings in Docket No. CP64-211 are generally the same as those proposed by El Paso in the aforementioned comparative proceedings.[2] Contending that the filing of duplicate applications by El Paso for essentially the same facilities is improper, Gulf Pacific asserts that not only should the temporary certificate issued December 11, 1964, be rescinded, but that the application itself should be dismissed.

The application of El Paso in the aforementioned competitive proceedings, in Docket No. CP63-204, et al., while including supply facilities generally the same as involved herein are allegedly required for two distinct purposes. In the competitive proceedings El Paso proposes construction and operation of these facilities solely to indicate an ability to attach reserves to supply up to an additional 575,000 Mcf of natural gas daily to distributors in California. In its present application El Paso asserts a need for substantially the same facilities solely to augment overall system reserves, without any further sales. It is possible, therefore, that in the interval of time from the filing of its application in the comparative proceeding, the alternative need of these same facilities developed. It is a contested matter that should be determined at a formal hearing.

The filing of amendments to applications in the competitive proceeding was barred after November 14, 1963, by Commission order of August 22, 1963, in that proceeding, to offset any disruptive effect there. If capable of substantiation, El Paso's filing of an additional application in Docket No. CP64-211, for generally the same facilities, but for a separate and distinct purpose does not, at this time, appear disruptive of the comparative proceeding. There appears therefore to be no good cause to delay proceedings in this present application until after Commission decision in the latter proceedings.

As a matter of sound administrative procedure, the filing or consideration of two or more applications for the same facilities is generally not proper. El Paso claims, however, that the gas involved in the applications here in issue will be of great value to its system operations regardless of whether it is found to be necessary as part of its gas supply should we decide to certificate its alternative proposal in Transwestern Pipeline Co., et al., Docket No. CP63-204, et al. It asserts further that a number of the contracts have provisions which leave the producers free to sell their gas elsewhere if no certificate is granted by December 31, 1965, and that even if the Transwestern case supra is decided by that date, it is quite possible that such a decision would not involve certification of these sales. We think that in these circumstances a separate hearing on the applications consolidated here is appropriate. We shall require El Paso to show that the need for the facilities and reserves proposed herein is consistent with the market and reserve showing presented by El Paso in the comparative proceeding. El Paso must also show that the acquisition of reserves and construction and operation of facilities as proposed are consistent with the public convenience and necessity independent of its applications in the Transwestern case.

Gulf Pacific also seeks to rescind the temporary certificate issued December 11, 1964, to El Paso for a portion of the facilities involved herein. Gulf Pacific contends that this grant of a temporary

[1] Commissioner Cox absent.

[1] The notice of Apr. 27, concerned material amendments to several of the above-listed independent producer applications filed subsequent to the original notice of Mar. 2, 1965, and the consolidation of the additional filings of George T. Abell and M. B. Rudman, et al., in Docket Nos. CI65-878 and CI65-930. Pursuant to this latter notice persons not having previously intervened on Mar. 30, were requested to do so by May 25, 1965.

[2] Hearings in these proceedings have concluded and a briefing period through Aug. 2, 1965, was prescribed by the Presiding Examiner.

certificate was contrary to § 2.57 of the rules of practice and procedure. The provisions of that section, in relation to the temporary certification granted for the comparatively minor enlargements or extensions, do not require a previous notice or hearing. To preclude any possibility that any interest of Gulf Pacific was or will be adversely affected by the grant of this temporary certificate, or by issuance of any permanent certificate, Gulf Pacific will be granted intervention in all matters involved herein. In addition, Gulf Pacific may renew its motions to rescind the temporary certificate and to dismiss the application at the conclusion of the hearing in these proceedings.

One further application shall be considered herein. On January 30, 1962, El Paso filed an application in Docket No. CP62-176 pursuant to section 7 of the Natural Gas Act to construct and operate facilities for the purchase and transportation of natural gas in Pecos County, Tex., all as more fully set forth in the application on file with the Commission and open to public inspection. That application is directly related to the matter described above, and therefore that docket is consolidated herein. This application was previously noticed by the Commission on May 24, 1962, 27 F.R. 5157 (1962) (Pub. June 1, 1962) and a temporary certificate for construction and operation of the facilities therein was issued September 27, 1962. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 30, 1965. Those parties granted intervention by this order will be considered as intervenors in all the matters in these presently consolidated proceedings. Those parties therefore, need not refile for intervention in the additional and individual docket consolidated by this order unless they desire to do so.

The Commission orders:

(A) The matters involved in the application filed in Docket No. CP62-176 are related to the matters involved in these proceedings and are hereby consolidated for formal hearing.

(B) Good cause has not been shown by Gulf Pacific Pipeline Co. for granting its motion to rescind the temporary certificate issued to El Paso Natural Gas Co. in Docket No. CP64-211; to dismiss El Paso's application therein; or to delay these proceedings until after Commission decision in the proceedings in Transwestern Pipeline Co. et al., Docket No. CP63-204, et al. The motions are denied without prejudice, however, to Gulf Pacific renewing its motions at the conclusion of the hearing in this proceeding. After El Paso Natural Gas Co. has submitted the information requested by our staff which is necessary to evaluate the proposal a date for hearing will be fixed by subsequent order of the Commission.

(C) The aforementioned petitioners are hereby permitted to intervene in these consolidated proceedings and in the individual dockets as requested, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of each intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions for leave to intervene; And, *Provided, further,* That the admission of each intervener shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in these proceedings.

(D) The motions of Gulf Oil Co., Skelly Oil Co., Dalco Oil Co., Pure Oil Co., and Phillips Petroleum Co. in opposition to the petition of Gulf Pacific Pipeline Co. to intervene in these proceedings are denied.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65-6492; Filed, June 21, 1965; 8:46 a.m.]

[Project No. 2151]

CHELAN COUNTY, WASH.

Notice of Amended Application for License for Unconstructed Project

JUNE 14, 1965.

Public notice is hereby given that amended application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Public Utility District No. 1 of Chelan County, Wash. (correspondence to: Kirby Billingsley, Manager, Public Utility District No. 1 of Chelan County, Post Office Box 1231, Wenatchee, Wash.) for license for unconstructed Project No. 2151, to be located on the Wenatchee River, a tributary of the Columbia River in the vicinity of the towns of Dryden, Leavenworth, and Plain, and the north shore of Lake Wenatchee, in Chelan County, Wash., and affecting lands of the United States within the Wenatchee National Forest.

As described in the application, the proposed project would consist of:

(a) Chiwawa Hydroelectric Development: (1) Impervious core earth fill dam on Chiwawa River upstream from Big Meadow Creek, maximum height 240 feet, crest length 1,840 feet, 3700 feet of auxilliary dike; an ungated spillway; (2) reservoir surface 4,900 acres at elevation 2,545 feet capacity 400,000 acre-feet of usable storage with 110-foot drawdown; (3) two intake structures; 30,000 feet of 18-foot concrete lined tunnel to (4) surge tank; (5) two steel penstocks; (6) Dirty Face Mountain powerhouse containing, one 80 MW conventional unit, two pump generator units, of 20 MW and 45 MW respectively operating under a gross head of approximately 672 feet; (7) 230 KV transmission line 21 miles long; (8) fish handling facilities and (9) other appurtenant facilities. (b) Beaver Creek Hydroelectric Development: (1) An earth fill dam 2,100 feet long, 80 feet maximum height plus a 270-foot concrete gravity section containing cut-off wall, gate controlled spillway, intake structure and powerhouse, across Wenatchee River upstream from juncture of Beaver Creek; (2) reservoir, surface (including Lake Wenatchee) 3,950 acres at elevation 1873 feet, usable capacity 32,000 acre feet with 10-foot drawdown; (3) two intakes; (4) powerhouse containing 2 generating units of 4,000 KW and 10,000 KW respectively operating under a head of about 60 feet; (5) 34 KV transmission line about 11 miles long; (6) fish handling facilities and (7) other appurtenant facilities. (c) Leavenworth Hydroelectric Development: (1) An earth fill dam 1,080 feet long plus a 90-foot long concrete gated spillway section, 90 feet maximum dam height, across Wenatchee River, just upstream from Chiwaukum Creek; (2) reservoir, surface 720 acres, at elevation 1,750 feet usable capacity 6,000 acre-feet with 10-foot drawdown; (3) intake at entrance to 37,000-foot tunnel 17 feet in diameter to (4) two steel penstocks; (5) Leavenworth powerhouse containing two generating units of 80 MW and 40 MW respectively, operating under a gross head of about 620 feet; (6) 230 KV transmission line 18 miles long; (7) fish handling facilities and (8) other appurtenant facilities. (d) Dryden Hydroelectric Development: (1) A new concrete diversion dam with a gated spillway constructed on site of existing diversion dam, raising water elevation 11 feet; (2) 3,600 foot long canal to forebay; (3) intake to new powerhouse containing two 10 MW units operating under a gross head of 87 feet; (4) two steel penstocks; (5) existing distribution system will be used for transmission of power; (6) fish handling facilities and (7) other appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 26, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 65-6493; Filed, June 21, 1965; 8:46 a.m.]

[Docket No. E-6943]

SOUTHWESTERN POWER ADMINISTRATION

Notice of Request for Approval of Rates and Charges

JUNE 14, 1965.

Notice is hereby given that the U.S. Department of the Interior, on behalf of the Southwestern Power Administration, has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Flood Control Act of 1944 (58 Stat. 887), for the sale of the total output of the Narrows Dam Project to the Tex-La Electric Cooperative, Inc. Approval is requested for the period from July 1, 1965, through June 30, 1970.

The Narrows Project is located on the Little Missouri River in southwestern Arkansas. At present, two generating units with a total name-plate capacity of 17,000 kilowatts are in operation at the project, and the Corps of Engineers has under construction a third 8,500 kilowatt unit expected to commence operation during the fiscal year 1968. Under the present contractual arrangements, the annual consideration for the sale of power to Tex-La is $300,000. After the addition of the aforementioned third generating unit, Tex-La will pay $367,992 per year.

Any person desiring to make comments or suggestions for Commission considera-

tion with respect to the attached schedule of rates and charges, should submit the same in writing on or before June 30, 1965, to the Federal Power Commission, Washington, D.C., 20426.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-6494; Filed, June 21, 1965; 8:46 a.m.]

[Project No. 2522]

WISCONSIN PUBLIC SERVICE CORP.

Notice of Application for License for Constructed Project

JUNE 14, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Wisconsin Public Service Corp. (correspondence to: C. A. McKenna, Secretary, Wisconsin Public Service Corp., 1029 North Marshall Street, Milwaukee, Wis., 53201) for a license for constructed project No. 2522, known as Johnson Falls Hydroelectric Station, located on the Peshtigo River in Marinette County, Wis., in the vicinity of unincorporated community of Crivitz in the Town of Stephenson.

The existing project consists of: (A) A dam 511 feet long consisting of: (1) A taintor gate and spillway section about 141 feet long; (2) an intake section 69 feet long; (3) a concrete wing wall about 113 feet long; and (4) an earth fill section about 188 feet long; (B) a reservoir of 130.5 acres at normal pool elevation 1,042 feet; (C) a concrete, brick, and structural steel powerhouse containing two vertical turbines of 2,500 hp each, connected to two generators of 1,980 kw each for a total installed capacity of 3,960 kw; (D) an outdoor substation containing four 1,333 kva single phase transformers and two oil circuit breakers; and (E) appurtenant electrical and mechanical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 26, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-6495; Filed, June 21, 1965; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

J. I. CASE CO. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 16, 1965.

In the matter of applications of the Midwest Stock Exchange; for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f–1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

J. I. Case Co., File 7–2443; Continental Air Lines, Inc., File 7–2444; Control Data Corp., File 7–2445; First Charter Financial Corp., File 7–2446; General Aniline & Film Corp., File 7–2447; Honeywell Inc., File 7–2448; E. J. Korvette Inc., File 7–2449.

Upon receipt of a request, on or before July 1, 1965, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-6490; Filed, June 21, 1965; 8:46 a.m.]

LEAR-SIEGLER, INC., ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 16, 1965.

In the matter of applications of the Midwest Stock Exchange; for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

Lear-Siegler, Inc., File 7–2450, McDonnell Aircraft Corp., File 7–2451, National Steel Corp., File 7–2452, Outboard Marine Corp., File 7–2453, Southern California Edison Co., File 7–2454, Xerox Corp., File 7–2455.

Upon receipt of a request, on or before July 1, 1965, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-6491; Filed, June 21, 1965; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below $1 an hour in the base period.

S. S. Kresge Co., variety store; No. 505, Chicago, Ill.; 6–3–65 to 6–2–66.

S. S. Kresge Co., variety store; No. 704, Dallas, Tex.; 5–13–65 to 5–12–66.

Parker's Food Stores, food store; No. 1, Wilmington, N.C.; 5–24–65 to 5–23–66.

R & G Market, Inc., food store; 523 South 17th Street, Manhattan, Kans.; 6-3-65 to 6-2-66.

O. P. Skaggs, food store; 620 West State Street, Grand Island, Nebr.; 5-17-65 to 5-16-66.

T. G. & Y. Stores Co., variety store; 4368 Old Shell Road, Mobile, Ala.; 5-25-65 to 4-30-66.

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the minimum applicable under section 6 of the act in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Neisner Bros., Inc., variety store; No. 66, Clermont, Fla.; sales clerks, stock clerks, and clerical; 10 percent for each month; 5-20-65 to 5-19-66.

Parker's Food Store, food store; No. 4, Wilmington, N.C.; bag boys, carry-out boys, stock clerks, produce helper, and janitorial; between 7.4 and 10 percent; 5-24-65 to 5-23-66.

Rose's Stores, Inc., variety store; No. 157, Morristown, Tenn.; sales clerks, stock clerks, clerical, and checkers; between 1.7 and 7.8 percent; 5-20-65 to 5-19-66.

Skag-Wag Stores, Inc., food store; 4911 South 72d Street, Omaha, Nebr.; carry-out boys; 10 percent for each month; 5-17-65 to 5-16-66.

T. G. & Y. Stores Co., variety store; No. 264, Waco, Tex.; clerical, sales clerks, and stock clerks; 10 percent for each month; 5-21-65 to 5-20-66.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 10th day of June 1965.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 65-6497; Filed, June 21, 1965; 8:46 a.m.]

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Barad Lingerie Co. of Salem, Salem, Mo.; effective 5-21-65 to 5-20-66 (ladies' sleepwear).

Blue Bell, Inc., Seminole, Okla.; effective 5-14-65 to 5-13-66 (men's and boys' dungarees).

Decaturville Sportswear Co., Inc., Decaturville, Tenn.; effective 5-16-65 to 5-15-66 (ladies' sportswear).

Michael Berkowitz Co., Frostburg, Md.; effective 5-19-65 to 5-18-66 (men's pajamas).

Cal-Crest Outerwear, Inc., 1500 Grace Street, Murphysboro, Ill.; effective 5-25-65 to 5-24-66 (men's cloth-lined and unlined jackets and parkas).

Glen Lyon Brassiere & Corset Co., Inc., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5-19-65 to 5-18-66 (corsets and allied garments).

Landress-Smith Corp., Hoschton, Ga.; effective 5-18-65 to 5-17-66 (men's and boys' sport slacks).

The H. D. Lee Co., Inc., Jasper, Ga.; effective 5-20-65 to 5-19-66 (men's casual pants).

Mode O'Day Co., 2955 South Main, Salt Lake City, Utah; effective 6-3-65 to 6-2-66 (women's and children's dresses).

Niemor Contractors, 310 Sherman Avenue, Newark, N.J.; effective 5-14-65 to 5-13-66 (men's and boys' casual outerwear jackets).

Phillips-Van Heusen Corp., Des Arc, Ark.; effective 5-22-65 to 5-21-66 (dress shirts).

Phillips-Van Heusen Corp., Patton, Pa.; effective 6-2-65 to 6-1-66 (dress shirts).

Piedmont Shirt Co., Poinsett Highway, Greenville, S.C.; effective 5-14-65 to 5-13-66 (men's and boys' dress and sport shirts).

Pikeville Sportswear Co., Pikeville, Tenn.; effective 5-31-65 to 5-30-66 (men's and boys' sport shirts).

Prepmore Apparel, Inc., Russellville, Ala.; effective 5-26-65 to 5-25-66 (boys' sport and dress shirts).

Putnam Manufacturing Co., Post Office Box 718, Cookeville, Tenn.; effective 5-16-65 to 5-15-66 (men's work pants).

Rappahannock Sportswear Co., Inc., 2103 Airport Avenue, Fredericksburg, Va.; effective 5-19-65 to 5-18-66 (men's and ladies' slacks).

Reed Manufacturing Co., Inc., 307 South Spring Street, Tupelo, Miss.; effective 5-15-65 to 5-14-66 (men's work clothing, boys' slacks, shorts, and dungarees).

Fred Ronald Manufacturing Co., Parsons, Kans.; effective 5-14-65 to 5-13-66 (boys' slacks).

Scranton Pants Manufacturing Co., 614 Wyoming Avenue, Scranton, Pa.; effective 5-23-65 to 5-22-66 (men's dress pants).

H. B. Spoont Co., 12 East Coal Street, Shenandoah, Pa.; effective 5-14-65 to 5-13-66 (women's ski jackets, etc.).

Twin Cities Manufacturing Co., Inc., White Hall, Ill.; effective 5-19-65 to 5-18-66 (women's, misses' and juniors' dresses).

Wellington Manufacturing Co., Okolona, Miss.; effective 5-23-65 to 5-22-66 (men's and ladies' slacks).

Williamson-Dickie Manufacturing Co., 509 West Vickery, Fort Worth, Tex.; effective 5-19-65 to 5-18-66 (men's and boys' slacks).

J. M. Wood Manufacturing Co., Inc., 228 South Sixth Street, Waco, Tex.; effective 5-18-65 to 5-17-66 (men's and boys' jeans, work pants and shirts, etc.).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Connie Fashions, Inc., 10-20 North West Street, Shenandoah, Pa.; effective 5-19-65 to 5-18-66; 10 learners (women's dresses).

Lyons Garment Co., Inc., 112 Foundry Street, Athens, Ga.; effective 5-25-65 to 5-24-66; 10 learners (men's dress pants).

Newport Dress Factory, 28 South Third Street, Newport, Pa.; effective 5-17-65 to 5-16-66; 10 learners (women's dresses).

Rock Hall Manufacturing Co., Rock Hall, Kent County, Md.; effective 5-26-65 to 5-25-66; 10 learners (men's and boys' knit shirts).

Tamaqua Garment Co., Tamaqua, Pa.; effective 5-18-65 to 5-17-66; 10 learners (women's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

The H. D. Lee Co., Inc., Jasper, Ga.; effective 5-20-65 to 11-19-65; 10 learners (men's casual pants).

Phillips-Van Heusen Corp., Section, Ala.; effective 6-1-65 to 11-30-65; 60 learners (dress shirts).

Prepmore Apparel, Inc., Russellville, Ala.; effective 5-13-65 to 11-12-65; 40 learners (boys' dress and sport shirts).

Rawlings Manufacturing Division, Licking, Mo.; effective 5-17-65 to 11-16-65; 50 learners (athletic uniforms).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

The Glove Corp., Heber Springs, Ark.; effective 5-18-65 to 11-17-65; 20 learners for plant expansion purposes (work gloves).

N. Churchill Manufacturing Co., Inc., 544 North Pearl Street, Centralia, Wash.; effective 5-25-65 to 5-24-66; 10 learners for normal labor turnover purposes (men's work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Ballston Knitting Co., Inc., Ballston Spa, N.Y.; effective 5-19-65 to 5-18-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Ballston Knitting Co., Inc., Stillwater, N.Y.; effective 5-19-65 to 5-18-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Elizabeth City Hosiery Mills, Elizabeth City, N.C.; effective 5-20-65 to 5-19-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' nylon hosiery).

Rawlings Manufacturing Division, Licking, Mo.; effective 5-17-65 to 11-16-65; 10 learners for plant expansion purposes (athletic stockings).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Gloray Knitting Mills, Inc., Robesonia, Pa.; effective 5-21-65 to 5-20-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' knitted sweaters).

Rawlings Manufacturing Division, Licking, Mo.; effective 5-17-65 to 11-16-65; 15 learners for plant expansion purposes (athletic jerseys).

Reidler Knitting Mills, Inc., 757 West Broad Street, Hazleton, Pa.; effective 5-29-65 to 5-28-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's, women's, and children's underwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Aristocrat Corp., Carpenter Road 318, Hato Rey, P.R.; effective 5-15-65 to 5-14-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rates of 92 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (brassieres).

Becton, Dickinson & Co., S.A. (P.R.), Apartado "S", Juncos, P.R.; effective 4-12-65 to 10-11-65; 35 learners for plant expansion purposes in the occupation of basic hand and/or machine production operations in the manufacture of thermometers and thermometer tubes, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.13 an hour for the remaining 240 hours (thermometers).

Becton, Dickinson & Co., S.A. (P.R.), Apartado "S", Juncos, P.R.; effective 4-12-65 to 4-11-66; 15 learners for normal labor turnover purposes in the occupation of basic hand and/or machine production operations in the manufacture of thermometers and thermometer tubes, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.13 an hour for the remaining 240 hours (thermometers).

Caribbean Novelty Co., Inc., Post Office Box 303, Vieques, P.R.; effective 4-1-65 to 3-31-66; 5 learners for normal labor turnover purposes in the occupation of bowtying, for a learning period of 160 hours at the rate of 77 cents an hour (ribbon bows for women's underwear).

Caribe Scolding Locks Corp., Apartado 325, San German, P.R.; effective 4-5-65 to 10-4-65; 24 learners for plant expansion purposes in the occupation of automatic bobbypin machine operating, for a learning period of 240 hours at the rate of 75 cents an hour (bobbypins).

Caribe Sports Co., Inc., Apartado 595, San German, P.R.; effective 4-12-65 to 4-11-66; 13 learners for normal labor turnover purposes in the occupations of: (1) Sewing machine operating, hand lacing, each for a learning period of 320 hours at the rates of 65 cents an hour for the first 160 hours and 75 cents an hour for the remaining 160 hours; and (2) die and clicker machine operating, leather stamping, eyeletting, shell lay-off, turning machine operating, final glove lay-off, leather regrading, final inspecting, each for a learning period of 160 hours at the rate of 65 cents an hour (baseballs, boxing and striking bag gloves, and golf club head covers).

Catherine Needle Craft, Inc., Calle Comercio 60, Apartado 88, Mayaguez, P.R.; effective 4-23-65 to 4-22-66; 18 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 92 cents an hour for the first 320 hours and $1.03 an hour for the remaining 160 hours (brassieres).

Clairex Corp. of Puerto Rico, Apartado 801, Roosevelt, Hato Rey, P.R.; effective 5-3-65 to 5-2-66; five learners for normal labor turnover purposes in the single occupation of basic hand and/or machine production operations: Photocell assembling, inspecting and testing, for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.13 an hour for the remaining 240 hours (photoelectric cells).

Juana Diaz Co., Inc., Apartado E, Ponce, P.R.; effective 4-22-65 to 4-21-66; 15 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 92 cents an hour for the first 320 hours and $1.03 an hour for the remaining 160 hours (brassieres and girdles).

Economy Industries, Inc., Apartado 305, Rio Grande, P.R.; effective 5-17-65 to 5-16-66; 14 learners for normal labor turnover purposes in the occupation of sewing machine operating, final pressing, each for a learning period of 320 hours at the rates of 75 cents an hour for blouses and 83 cents an hour for dresses for the first 160 hours, and 88 cents an hour for blouses and 98 cents an hour for dresses for the remaining 160 hours (ladies' blouses and dresses).

Elastic Bandage Corp. of Puerto Rico, Carretera 30, Km. 14.9, Apartado BB, Juncos, P.R.; effective 5-3-65 to 5-2-66; five learners for normal labor purposes in the occupation of machine operating: weaving, Schweiter machine operating, finishing and packing machine operating, loom fixing, each for a learning period of 240 hours at the rate of 78 cents an hour (elastic bandages).

Elastic Bandage Corp. of Puerto Rico, Carretera 30, Km. 14.9, Apartado BB, Juncos, P.R.; effective 5-3-65 to 11-2-65; 19 learners for plant expansion purposes in the occupation of machine operating: weaving, Schweiter machine operating, finishing and packing machine operating, loom fixing, each for a learning period of 240 hours at the rate of 78 cents an hour (elastic bandages).

Fina Knitting, Carretera 2, Km. 1.4, Hato Tejas, Bayamon, P.R.; effective 5-3-65 to 11-2-65; 18 learners for plant expansion purposes in the occupation of knitting machine operating, for a learning period of 240 hours at the rate of 78 cents an hour (knitted fabric).

General Electric Wiring Devices, Inc., Apartado 274, Juana Diaz, P.R.; effective 4-12-65 to 4-11-66; 27 learners for normal labor turnover purposes in the occupation of molding, assembling, each for a learning period of 480 hours at the rates of $1.00 an hour for the first 240 hours and $1.13 an hour for the remaining 240 hours (electrical wiring devices).

Hamlin International T1 Tuque, Carretera 2, Apartado "H", Ponce, P.R., effective 5-3-65 to 11-2-65; 20 learners for plant expansion purposes in the occupation of white room assembly, resistive welding, tool and diemaking, electroplating, final inspecting, each for a learning period of 480 hours at the rates of 98 cents an hour for the first 240 hours and $1.08 an hour for the remaining 240 hours (miniature reed switches).

J S L Corp., Carretera 647, Km. 0.5, Barrio Bajura, Apartado 435, Vega Alta, P.R.; effective 4-12-65 to 4-11-66; five learners for normal labor turnover purposes in the single occupation of basic hand and/or machine production operations: Assembly of specialized precision aircraft-aerospace mechanic handtools, for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and $1.10 an hour for the remaining 240 hours (specialized aerospace-mechanic handtools).

Midland Knitting Mills, Inc., Apartado 267, San German, P.R.; effective 4-26-65 to 4-25-66; 15 learners for normal labor turnover purposes in the occupations of: (1) Knitting, topping, looping, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours; and (2) machine stitching, pressing, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (ladies' sweaters).

Miton Co., Inc., Apartado 605, Aibonito, P.R.; effective 4-12-65 to 4-11-66; 10 learners for normal labor turnover purposes in the occupations of machine stitching, laying off, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 86 cents an hour for the remaining 240 hours (ladies' gloves).

Mohawk Products, Inc., Calle Comercio 66, Apartado 501, Aguadilla, P.R.; effective 4-12-65 to 10-11-65; 15 learners for plant expansion purposes in the occupations of: (1) Stitching machine operating, for a learning period of 320 hours at the rates of 65 cents an hour for the first 160 hours and 75 cents an hour for the remaining 160 hours, and (2) die and clicker machine operating, final inspecting, each for a learning period of 160 hours at the rate of 65 cents an hour (athletic gloves).

Morovis Manufacturing Co., Ruta 155, Km. 48.7, Apartado 458, Morovis, P.R.; effective 5-3-65 to 5-2-66; 10 learners for normal labor turnover purposes in the occupation of machine operating, fixing, each for a learning period of 240 hours at the rate of 83 cents an hour (yarn).

Northridge Knitting Mills, Inc., Apartado 267, San German, P.R.; effective 4-26-65 to 4-25-66; 10 learners for normal labor turnover purposes in the occupations of: (1) Knitting, topping, looping, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours, and (2) machine stitching, pressing, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (ladies' sweaters).

Overseas Sports Co., Inc., Apartado 3226, Marina Station, Mayaguez, P.R.; effective 4-12-65 to 4-11-66; 33 learners for normal labor turnover purposes in the occupation of handsewing baseballs and softballs, for a learning period of 320 hours at the rates of 65 cents an hour for the first 160 hours and 75 cents an hour for the remaining 160 hours (baseballs and softballs).

Perfect Bra Co. of Puerto Rico, Inc., Plant No. 1, Apartado 356, Caguas, P.R.; effective 4-1-65 to 3-31-66; 27 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 92 cents an hour for the first 320 hours and $1.03 an hour for the remaining 160 hours (brassieres).

Perfect Bra Co. of Puerto Rico, Inc., Plant No. 2, Apartado 397, Aguas Buenas, P.R.; effective 4-1-65 to 3-31-66; 27 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 92 cents an hour for the first 320 hours and $1.03 an hour for the remaining 160 hours (brassieres).

Rebmar, Inc., Carr. Morovis, Corozal, P.R.; effective 4-15-65 to 10-14-65; 89 learners for plant expansion purposes in the occupations of: (1) Sewing machine operating, for a learning period of 320 hours at the rate of 78 cents an hour; (2) automatic sewing ma-

chine operating, riveting, eyeletting and marking machine operating, each for a learning period of 160 hours at the rate of 78 cents an hour, and (3) final inspecting, for a learning period of 240 hours at the rate of 78 cents an hour (canvas products).

Sagner International, Inc., 151 Marina Street, Post Office 4128, San Juan, P.R.; effective 4–1–65 to 3–31–66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 79 cents an hour for the first 240 hours and 92 cents an hour for the remaining 240 hours (men's slacks).

Sally Manufacturing Corp., Apartado 268, Juana Diaz, P.R.; effective 4–26–65 to 9–30–65; 34 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 92 cents an hour for the first 320 hours and $1.03 an hour for the remaining 160 hours (brassieres).

Stewart Bruce Corp., Carpenter Road 318, Hato Rey, P.R.; effective 5–15–65 to 5–14–66; five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rates of 92 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (girdles).

W. O. Tobacco Corp., Calle Ruiz Belvis, Apartado 576, Caguas, P.R.; effective 4–19–65 to 4–18–66; 30 learners for normal labor turnover purposes in the occupation of sorting, sizing, each for a learning period of 240 hours at the rate of 75 cents an hour (wrapper type tobacco).

Weststone Knitting Mills, Inc., Apartado 267, San German, P.R.; effective 4–26–65 to 4–25–66; 10 learners for normal labor turnover purposes in the occupations of: (1) Knitting, topping, looping, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours; and (2) machine stitching, pressing, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and $1.03 an hour for the remaining 160 hours (ladies' sweaters).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 11th day of June 1965.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 65–6498; Filed, June 21, 1965; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1192]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 17, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–67648. By order of June 16, 1965, the Transfer Board approved the transfer to Bonded Warehouse Co., a corporation, Fort Worth, Tex., of Certificate No. MC–44053 issued December 17, 1957, to C. M. McElhannon, doing business as Bonded Warehouse Co., Fort Worth, Tex., authorizing the transportation over irregular routes of household goods between points in Texas, on the one hand, and, on the other, points in Illinois, Louisiana, Missouri, New Mexico, and Oklahoma; between points in Texas, on the one hand, and, on the other, points in Kansas, Colorado, and Wyoming; and between points in Orange and Jefferson Counties, Tex., on the one hand, and, on the other, points in Louisiana, Arkansas, Oklahoma, Mississippi, Alabama, Florida, and Georgia. Reagan Sayers, 304 Century Life Building, Fort Worth, Tex., 76102, attorney for applicants.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65–6518; Filed, June 21, 1965; 8:48 a.m.]

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